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*W. Wilson*

# MILITARY MEASURES

OF THE

## UNITED STATES CONGRESS.

1861-1865.

BY  
HENRY WILSON,

CHAIRMAN OF THE COMMITTEE ON MILITARY AFFAIRS.

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# MILITARY MEASURES OF CONGRESS.

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No. I.—*The Bill to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property.*

In pursuance of the Proclamation of the President, of the fifteenth of April, 1861, the Thirty-seventh Congress assembled on the fourth of July. On the sixth, Mr. Wilson, of Massachusetts, Chairman of the Committee on Military Affairs, agreeably to notice given on the first day of the session, introduced into the Senate the following bills and joint resolution:

A bill to authorize the employment of volunteers to aid in enforcing the laws and protecting public property;

A bill to increase the present military establishment of the United States;

A bill providing for the better organization of the military establishment;

A bill for the organization of a volunteer militia force, to be called the National Guard of the United States; and

A joint resolution to ratify and confirm certain acts of the President for the suppression of insurrection and rebellion.

These bills and this joint resolution were referred to the Committee on Military Affairs, consisting of Mr. Wilson, of Massachusetts, Mr. King of New-York, Mr. Baker, of Oregon, Mr. Lane, of Indiana, Mr. Lane, of Kansas, Mr. Rice, of Minnesota, and Mr. Latham, of California. Mr. Wilson also introduced a bill to promote the efficiency of the army, which was referred, on motion of Mr. Grimes, of Iowa, to a special committee of nine, consisting of Mr. Wilson, Mr. Hale, Mr. Sherman, Mr. Powell, Mr. Cowan, Mr. King, Mr. Kennedy, and Mr. Howe.

On the eighth of July, Mr. Wilson, from the Committee on Military Affairs, reported back the bill to authorize the employment of volunteers, with amendments. The original bill proposed that the President be authorized to accept the services of volunteers in such numbers as he might deem necessary, and that the sum of four hundred millions of dollars be appropriated to carry the act into effect; that each regiment of infantry should have one colonel, one lieutenant-colonel, one major, one adjutant, one paymaster, one quartermaster, one surgeon, and one assistant surgeon, one sergeant-major, one regimental quartermaster sergeant, one regimental commis-

sary sergeant, one hospital steward, two principal musicians, and twenty-four musicians for a band; and should be composed of ten companies, each company to consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, one wagoner, and from sixty-four to eighty-two privates; that these forces should be organized into divisions of three or more brigades each; and each division should have a major-general, each brigade should be composed of four or more regiments, and should have one brigadier-general; that the President should be authorized to appoint, by and with the advice and consent of the Senate, for the command of the forces provided for, a number of major-generals, not exceeding six, and a number of brigadier-generals, not exceeding eighteen; that the officers, non-commissioned officers, and privates should, in all respects, be placed on the footing, as to pay and allowances, of similar corps of the regular army, and their allowances for clothing be three dollars and fifty cents per month;

That volunteers who might be wounded or otherwise disabled in the service, should be entitled to the benefits which might have been or might be conferred on persons disabled in the regular service; and the legal heirs of such as died or might be killed in service, in addition to all arrears of pay and allowances, should receive the sum of one hundred dollars;

That there should be allowed to each regiment, one chaplain, who must be a regular ordained minister of a Christian denomination, and who should receive the pay and allowances of a captain of cavalry;

That the general commanding a separate department, or a detached army, be authorized to appoint a military board or commission of not less than three nor more than five officers, whose duty it should be to examine the capacity, qualifications, propriety of conduct, and efficiency of any commissioned officer of volunteers within his department or army;

That whenever a regiment of volunteers should be mustered into the service, the colonel, lieutenant-colonel, major, adjutant, and quartermaster thereof, should each have the privilege of franking any letter from any person belonging, in any capacity, to such regiment, not weighing over two ounces.

On the tenth, the Senate proceeded to the consideration of the bill and the proposed amendments. The first amendment, authorizing the President to call out five hundred thousand men, and appropriating five hundred millions of dollars, was agreed to; but, on motion of Mr. Sherman, of Ohio, the appropriation was stricken out. On motion of Mr. Rice, of Minnesota, the ninth section was so amended as to give chaplains the compensation of army chaplains instead of captains of cavalry. Mr. Rice then moved to strike out the eleventh section, allowing officers of volunteers to frank soldiers' letters. He avowed his willingness to vote an allowance of money to each regiment to defray postage expenses, but he believed the authority to frank soldiers' letters would lead to great abuses. Mr. Wilson opposed the amendment. He had franked thousands of soldiers' letters, and had done so freely. Mr. Collamer, of Vermont, did not think it would add to the expenses of the Post-Office Department, and he was opposed to the amendment. Mr. Rice withdrew his motion to amend.

Mr. Nesmith, of Oregon, said he knew men to-day sweating under the epaulets of brigadiers and major-generals who could not pass a board of any intelligent army officers in the world, if they were applicants for the position of first lieutenant, and he moved to amend the fourth section by adding:

That the President might select the major-generals and brigadier-generals provided for in the act, from the line or staff of the regular army; and the officers so selected, should be permitted to retain their rank therein.

Mr. Wilson said the proposition was in harmony with the policy he had advocated. "There are," he said, "several officers in the army, of great distinction, who would make excellent major and brigadier-generals. I think, and have thought, that those men ought to be selected in preference to civilians, however eminent they may be in talent or character. I shall, therefore, vote for this amendment; and I think that if it be sustained, it will enable the President of the United States to appoint some major and brigadier-generals from officers in the regular army, reserving to them the places they now hold in the army at the end of the contest, and that the country will be benefited by such a selection."

Mr. Nesmith's amendment was agreed to.

Mr. Powell, of Kentucky, moved to strike out the provision giving the franking privilege, and insert an amendment abolishing the franking privilege altogether; but the motion was lost. Mr. Saulsbury, of Delaware, moved to strike out of the first section "five hundred thousand men," and insert "two hundred thousand men." "He was," he declared, "fearful the Union would not be preserved by the mode contemplated in this bill, and suggested in the message of the President." He would vote men enough to protect the Capitol, and defend the States from invasion, and he believed the force he proposed sufficient for that purpose. Mr. Foster, of Con-

nnecticut, thought "two hundred thousand men too many to make peace, and too few to make war." The amendment was defeated—yeas, five; nays, thirty-two. The bill passed the Senate.

On the eleventh, a message was sent to the House, on motion of Mr. Wilson, requesting the return of the bill. The House having returned it, the Senate, on the twelfth, reconsidered the vote on its passage. Mr. Wilson then moved to strike out the first section, and insert: "That the President be authorized to accept the services of volunteers, in such numbers, not exceeding five hundred thousand, as he may deem necessary for the purpose of repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property. The volunteers mustered into the service under this act, shall serve for the term of three years, unless sooner discharged by the President; but nothing in this section shall affect enlistments for a shorter period of volunteers already mustered into the service. Before receiving into service any number of volunteers exceeding those now called for and accepted, the President shall, from time to time, issue his proclamation stating the number desired, either as cavalry, infantry, or artillery, and the States from which they are to be furnished, having reference in any such requisition to the number then in service from the several States, and equalizing, as far as practicable, the number furnished by the several States according to the Federal population." And this amendment was agreed to. Mr. Wilson then moved to amend the fourth section by adding that "the Governors of the States furnishing volunteers under this act shall commission the field, staff, and company officers requisite for the said volunteers; but in cases where the said authorities refuse or omit to furnish volunteers at the call or on the proclamation of the President, and volunteers from such States offer their services under such call or proclamation, the President shall have power to accept such services, and to commission the proper field, staff, and company officers;" and it was agreed to. Mr. Wilson then moved to reconsider the vote by which chaplains were to receive the same compensation as chaplains in the army, instead of the compensation of captains of cavalry. In support of the motion, Mr. Wilson maintained that the faith of the nation was plighted to chaplains who came out with the regiments mustered into service. Mr. Collamer, Mr. King, Mr. Ten Eyck, and Mr. Browning supported the motion, and Mr. Sherman, Mr. Johnson, and Mr. Howe opposed it; but the amendment was reconsidered—ayes, twenty-five; noes, eleven, and then rejected. The bill was then passed—yeas, thirty-five; nays, four. Breckenridge and Powell, of Kentucky, and Johnson and Polk, of Missouri, voting against it.

In the House of Representatives, Mr. Blair, of Missouri, on the eleventh of July, reported from the Committee on Military Affairs, a bill to authorize the employment of volunteers, it be-

ing, with some slight modifications, the bill introduced into the Senate on the sixth by Mr. Wilson. On the thirteenth, the House resolved itself into a Committee of the Whole for its consideration, Mr. Dawes, of Massachusetts, in the chair. Mr. Allen, of Ohio, moved to strike out "three years" and insert "one year," as the term of service of the volunteers. He thought that, "if, at the end of one year, the triumph of the Government over the rebellion was a doubtful question, some change of policy might be required of the Government." The amendment was opposed by Mr. Blair, and rejected. Mr. Blair moved to strike out five hundred million dollars, as specific appropriations for the support of the army had already passed the House. Mr. Cox, of Ohio, desired to know why it was proposed to increase the appropriation from four hundred million dollars, recommended by the President, to five hundred million dollars. Mr. Blair replied that it was the desire of the Committee "to strengthen the Government in putting down this unrighteous rebellion." Mr. Burnett, of Kentucky, desired to know if the sums appropriated were necessary to maintain the army proposed to be raised for a year. Mr. Blair believed it would not. Mr. McCleernand, of Illinois moved to amend the bill by reducing the sum one hundred million dollars. Mr. McKnight, of Pennsylvania, desired to modify the amendment so as to reduce the number of men from "five hundred thousand" to "four hundred thousand." Mr. Pendleton, of Ohio, opposed the amendment proposed by Mr. McKnight to the amendment proposed by Mr. McCleernand. Mr. Diven, of New-York, declared his readiness to vote a million of men if half a million were not sufficient. Mr. McCleernand was willing to give the amount of men and money required by the Executive responsible for the use of men and money. Mr. Moorhead, of Pennsylvania, was opposed to the proposition; he was for five hundred thousand men, five hundred millions dollars. Mr. Harding, of Kentucky, declared that Kentucky would give men and money to defend the Constitution, but he would "not vote one dollar for subjugation." Mr. Hickman of Pennsylvania, said there could be "no loyalty without submission, and these men were to be taught by a strong hand that they are to pay the same regard to the Constitution and the laws as commoner people are forced to render to them. These men believe that they have a right to declare themselves out of the pale of legitimate government whenever it shall suit their interests to do so, or whenever it shall be in accordance with the lead of their passions to do so. We, the people of the North, of the loyal States, and all who act with the North, intend to educate these men in a different doctrine; and if we shall eventually be forced to bring them into subjection—abject subjection to the Constitution of the United States—it will be their fault and not ours." Mr. Campbell, of Pennsylvania, would give the Executive all the power—even a superabundant power—in this great crisis of the na-

tion's fate. "He would darken the ocean with our fleets, and cover the land with our armies." Mr. Cox, of Ohio, would vote for Mr. McCleernand's amendment; he would vote what was required "to enable the Executive to sustain the Government—not to subjugate the South." Mr. Burnett, of Kentucky, declared the object of the war to be the subjugation of the Southern States. Kentucky had refused to give men when called for, to protect the Capitol, and the Legislature had nearly unanimously indorsed the action of the Governor. Mr. McKnight's motion to amend Mr. McCleernand's amendment was rejected; and Mr. McCleernand's amendment was lost—only forty-seven voting for it. The clause appropriating five hundred millions, dollars was stricken out of the bill. Mr. Vallandigham, of Ohio, moved to add a proviso: "That before the President shall have the right to call out any more volunteers than are already in the service, he shall appoint seven commissioners, whose mission shall be to accompany the army on its march, to receive and consider such propositions, if any, as may at any time be submitted from the Executive of the so-called confederate States, or of any one of them, looking to a suspension of hostilities and the return of said States, or any one of them, to the Union, and to obedience to the Federal Constitution and authority." He declared that he offered the proposition in good faith; he would "suspend hostilities for present negotiation to try the temper of the South." Mr. Wright, of Pennsylvania, emphatically declared that the proposition held "out to rebellious men a reward for their treason." Mr. Hutchins, of Ohio, moved to amend the proposition so that those commissioners should "see that the war is vigorously prosecuted to the effectual putting down of this rebellion." Mr. Vallandigham declared he had moved his amendment "to be read hereafter, and to be read and pondered by the people." Mr. Hutchins's amendment was lost; forty-four members only voting for it, and Mr. Vallandigham's amendment was then rejected, only twenty-one members voting for it.

On motion of Mr. Curtis, of Iowa, the bill was so amended as to give the President authority to raise troops and appoint officers for them whenever the State authorities should neglect or refuse to do so. Mr. Diven, of New-York, moved to amend the fourth section so as to require the major-generals to be selected from persons educated at West-Point, or from persons who have served in the regular army not less than five years. Mr. Shillabarger, of Ohio, moved to add, "or who shall have, by actual service in war, shown efficiency and capacity for such command." The amendment to the amendment was agreed to, and then the amendment of Mr. Diven was rejected.

Mr. McCleernand moved that the commander of a brigade shall have power to appoint a Roman Catholic chaplain for his brigade when no regiment in the brigade shall have such chaplain, but the amendment was rejected. Mr. Vallandigham proposed to strike out "Christian de-

nomination," and insert "religious society," but the amendment was lost.

Mr. Colfax, of Indiana, moved to strike out the eleventh section giving colonels, lieutenant-colonels, majors, adjutants, and quartermasters of volunteer regiments authority to frank soldiers' letters, and insert: "That all letters written by the soldiers in the service of the United States may be transmitted through the mails without the prepayment of postage, under such regulations as the Post-Office Department may prescribe; the postage thereon to be paid by the recipient." Mr. Van Wyck, of New-York, moved as a substitute: "That the colonel of every regiment now or hereafter to be in the service of the United States, shall appoint the chaplain of his regiment, and in case there be no chaplain, then any person he may deem competent, to act as postmaster for the regiment, whose duty it shall be, without receiving, or being entitled to any compensation therefor, to frank with his name all letters and papers not weighing over one ounce for all officers, musicians, or privates in said service. All letters and papers so franked shall be carried free of postage: That any letter or paper directed to any officer, musician, or private in said service, addressed to the regiment to which such person belongs, shall be carried free of postage in all mails or boxes put up to receive letters and papers to be carried to the post-offices or mails of the United States: That all letters and papers directed to any officer, musician, marine, or sailor, in the service of the United States, directed to the station or ship where he may be serving, shall be carried free of postage in all the mails and boxes put up for the purpose of receiving letters and papers to be carried to the post-offices and mails of the United States: That the appointment referred to in the first section of this act shall, by said postmaster, be filed in the office of the Postmaster-General.

Mr. Van Wyck's amendment was rejected, and then Mr. Colfax's amendment was adopted.

Mr. Burnett offered as a proviso to be added to the end of the bill: "That the military force hereby provided for in this act, shall not be employed in subjugating and holding as a conquered province any sovereign State now or lately one of the United States."

The amendment was rejected. Mr. Burnett demanded the yeas and nays on the passage of the bill; but they were not ordered, and the bill passed without a division.

On the sixteenth, Mr. Blair, from the Committee on Military Affairs to whom the House had referred the Senate bill to authorize the employment of volunteers, reported with an amendment as a substitute—the amendment being substantially the House bill. The amendment was agreed to, and the bill passed.

In the Senate, on the seventeenth, on motion of Mr. Wilson, the Senate disagreed to the amendment of the House. The House insisted on its amendment—asked for a committee of conference, and Mr. Blair, of Missouri, Mr. Olin,

of New York, and Mr. Wright, of Pennsylvania, were appointed managers. The Senate insisted on its disagreement, and appointed Mr. Wilson, of Massachusetts, Mr. Ten Eyck, of New Jersey, and Mr. Rice, of Minnesota, managers. On the eighteenth, Mr. Wilson, from the Committee of Conference, reported that the House of Representatives recede from its amendment to the bill, except the eleventh and twelfth sections, and agree to the bill of the Senate with the following amendments: "Strike out the preamble, and in lieu thereof insert as follows: 'Whereas certain of the arsenals, custom-houses, navy-yards, and other property of the United States have been seized, and other violations of law have been committed and are threatened by organized bodies of men in several of the States, and a conspiracy has been entered into to overthrow the government of the United States: Therefore,' and in line nine, of section one, after the word 'property,' strike out as follows, 'The volunteers mustered into service under this act shall serve for three years, unless sooner discharged by the President; but nothing in this section shall affect enlistments for a shorter period of volunteers already mustered into service,' and in lieu thereof insert: 'Provided, That the services of the volunteers shall be for such time as the President may direct, not exceeding three years nor less than six months, and they shall be disbanded at the end of the war; and all provisions of law applicable to three years volunteers shall apply to two years volunteers, and to all volunteers who have been or may be accepted into the service of the United States, for a period not less than six months, in the same manner as if such volunteers were specially named.'"

"That the Senate recede from its disagreement to the eleventh and twelfth sections of the amendments of the House of Representatives, and agree thereto."

The report was concurred in.

The House concurred in the report of the Conference Committee made by Mr. Blair, and the bill introduced by Mr. Wilson on the sixth July passed on the eighteenth, and was approved by the President on the twenty-second of July, 1861.

#### No. II.—*The Bill to increase the Military Establishment of the United States.*

In the Senate, on the sixth of July, 1861, Mr. Wilson, of Massachusetts, agreeably to notice given on the first day of the session, introduced a bill to increase the regular army. The bill provided, that there be added to the regular army nine regiments of infantry, one regiment of cavalry, and one regiment of artillery; each regiment of infantry to consist of not less than two, nor more than three battalions; each battalion to consist of eight companies, each company to consist of one captain, one first and one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, and as

many privates, not exceeding eighty-two, as the President may direct. The regiment of cavalry to consist of not more than three battalions, of not more than two squadrons each, and each squadron of two companies, of seventy-two privates each. The regiment of artillery to consist of not more than twelve batteries; each battery to have as many privates as the President might direct, not exceeding one hundred and twenty-two.

That the field and staff commissioned officers should be to each regiment of infantry, one colonel, one lieutenant-colonel, one regimental adjutant, one regimental quartermaster and commissary, and to each battalion of infantry, one major, one battalion adjutant, one battalion quartermaster and commissary; the regimental and battalion adjutants, and quartermasters and commissaries, to be taken from the lieutenants of the regiments and battalions respectively. To the regiment of cavalry, one colonel, one lieutenant-colonel, one regimental adjutant, one regimental quartermaster and commissary, and to each battalion of cavalry, one major, one battalion adjutant, one battalion quartermaster and commissary. To the regiment of artillery, one colonel, one lieutenant-colonel, one major to every four batteries, one adjutant, one regimental quartermaster and commissary, to be taken from the lieutenants of the regiment.

That there be four major-generals, with three aids-de-camp each, to be taken from captains or lieutenants of the army, and six brigadier-generals, with two aids-de-camp each, to be taken from the lieutenants of the army.

That the officers and enlisted men were to receive the same pay, emoluments, and allowances, and be on the same footing, in every respect, with those of corresponding grades and corps now in the regular service.

That the President be authorized to add to the regiments of dragoons, mounted riflemen, cavalry, artillery, and infantry of the regular army, as many officers and enlisted men as might make their respective organizations the same as those of the additional regiments, and that the commissions of the officers of the old regiments who might be promoted should bear equal date with those of officers promoted to the additional regiments.

That the term of enlistments made and to be made in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two in the regular army, be for the period of three years, and those to be made after January one, eighteen hundred and sixty-three, to be for the term of five years.

On the ninth, Mr. Wilson, from the Committee on Military Affairs, reported back the bill with an amendment, striking out the provision giving authority to the President to add to the old regiments as many officers and men as might make their organizations equal to the additional regiments authorized by the act.

On motion of Mr. Wilson, the Senate, on the thirteenth, proceeded to the consideration of the

bill, and the amendment proposed by the Military Committee was adopted. Mr. King, of New-York, moved to amend the bill, by adding, that the increase of the force authorized by the act was declared to be for service during the insurrection, and six months after organized resistance should exist, the military establishment should be reduced to the number, grade, rank, and pay, authorized by law, on the first day of May, 1861, and the amendment was agreed to. Mr. King then proposed to amend, by adding, that the President should cause regiments, battalions, and companies to be disbanded, and officers to be discharged, so as to reduce the army as provided for in the amendment. Mr. Harris, of New-York, expressed his surprise that the Senate should strike what seemed to him so fatal a blow to this measure of the administration. He thought officers of the old regiments would not take commissions in the new regiments, with the understanding that they were to be discharged at the end of the war. The amendment was agreed to.

Mr. Nesmith, of Oregon, moved that the bill be amended by adding that no person should be commissioned as major or brigadier-general in the regular army who should not have previously served for the period of ten years in the regular or volunteer army of the United States; and no person should be commissioned as colonel, lieutenant-colonel or major in the regular army, who should not have previously served at least two years in the regular or volunteer army of the United States.

Mr. Wilson expressed the hope that the Senate would reject this amendment. Mr. Nesmith said, the object of the amendment was to exclude persons from civil life who have never had any military experience. "Ten years," he said, "was the shortest period in which any man can acquire the information necessary to qualify him to command in the army as brigadier or major-general." This amendment was rejected. Mr. Nesmith then moved, that, whenever the public service might require the appointment of any citizen to the regular army, a board of officers should be instituted, before which the applicant should appear for examination into his physical ability, moral character, attainments, and general fitness for the service. Mr. Nesmith thought that military knowledge was not attained by inspiration. Men must get it through study, experience, and service in the field. "The regulations," he said, "contained the principle of the amendment. Every thing has to be examined and present some qualifications for its position in the army, except the general officers who are to lead the army."

Mr. Wilson said: "There were to be eight hundred and fifty officers in these regiments. It was arranged that one half of the officers should be taken from the old regiments. Nine of the eleven colonels had been taken from the army, one of the others had served in the field, and the other was adjutant-general of Ohio. One half of the captains and first lieutenants were to be taken from the old army, and

the second lieutenants were to be promoted from the ranks. Thousands of the young men of the country from law-schools and colleges were applying for commissions, and the Government could select young men of talent and character. There never was a time in the history of the country when men of talent, men of culture, men of experience, men of fortune, men who have mastered all that could be mastered in the colleges and institutions of learning of the country, are seeking, as they are now seeking, admission into the army. Mr. Nesmith desired to know why the regulation requiring a person from civil life to be examined by a board of officers had not been complied with. Mr. Wilson replied, that "the object was to get a military force into the field as speedily as possible, and the Government was, of course, compelled, by the exigencies of the service, by the condition of the country, to do in this case, what it was compelled to do in some other cases—disregard forms and regulations." Mr. Wilson said, that, in lieu of the regulations, the colonels who were mostly army officers, had been directed to examine the cases of line officers when they report for duty, and if they were disqualified, to report them to the department, and their commissions would be withheld. Mr. Latham, of California, thought a degree of partiality was shown in the appointments that was creating discontent in army. Mr. Wilson was aware that some dissatisfaction had been created by departing from the rule of seniority in the appointments. The desire had been to take officers who were fitted for responsible positions to make the army most effective. "This army of ours," he said, "is paralyzed toward the head. Your ablest officers are young captains and lieutenants; and if I wished to-day to organize a heavy military force, such as we are calling into the field, I would abolish the army as the first act, and I then would take officers from the army, and place them where their talents fit them to go, without reference to the rank they occupied in the old regiments. There are men who are field-officers, that ought to be second lieutenants; and there are second lieutenants who would make generals. That is the condition of our army to-day; and the nearer you come toward the head, until you reach perhaps the distinguished commander of the army, the less ability you have." Mr. Nesmith's amendment was rejected.

Mr. Nesmith moved to strike out "three years," and insert "five years," for enlistments in 1861 and 1862. He moved the amendment, he said, to secure uniformity in enlistments. He thought, if there had been a loyal army, these difficulties would never have occurred. "No man here," he declared, "will live to see a smaller standing army than the army we have to-day, with the increase for which this bill provides." Mr. Lane, of Kansas, "hoped the Senator from Oregon would not persist in his amendment. Men prefer a three years' to a five years' service. The argument in favor of the three years' enlistment is this, that by it you can fill up the regi-

ments in time for service in the present war; without it, you cannot; if it is insisted upon, the army cannot be enlisted." The amendment was rejected.

Mr. Grimes, of Iowa, proposed to amend the bill by adding: "In selecting and appointing officers from the army into regiments hereby created, the relative rank by them held in the army shall be preserved." Mr. Fessenden, of Maine, thought this amendment would not effect the object. Mr. Lane, of Kansas, said, "Confusion would ensue in the new regiments by the adoption of the amendment," and it was withdrawn. Mr. Doolittle thought some provision ought to be inserted in the bill to secure officers going into the new regiments, their rights as officers of the army. Mr. Wilson said, there could be no such provision, for, when officers leave the old regiments and go into the new, their places are immediately supplied by new nominations. He agreed with Mr. Nesmith that we should never live to see the army brought back where it then was. He was willing to trust the Congress that would be there at the end of the contest. The bill with the amendments was then reported to the Senate. Mr. Fessenden moved to amend Mr. King's amendment providing for the reduction of the army six months after the rebellion should cease, by inserting, "one year," instead of "six months." Mr. King expressed his willingness to accept the amendment. Mr. McDougal, of California, was opposed to the amendment proposed by Mr. King. He believed it would be economy to increase permanently the army. He believed it desirable for the *morale* of the force to be added. We should have better officers; men who propose to devote themselves for their lives to the profession of arms. Mr. Foster, of Connecticut, was opposed to Mr. King's amendment. "It is assuming what we have not the foresight to determine. Let to-morrow take care of itself. Let us be wise to-day, and not attempt to be wise for to-morrow; for to-morrow may bring exigencies, and must bring exigencies, about which we know nothing to-day." Mr. Rice believed, "as a measure of economy, the army should be increased."

On the fifteenth, the Senate resumed the consideration of the bill, and Mr. Fessenden's amendment to Mr. King's amendment was agreed to. The question recurring on Mr. King's amendment as amended, Mr. Wilson said, he was opposed to the amendment, but upon its being pressed by Mr. King, wishing to obtain a united vote, he had said he would not resist it; but upon further reflection he must change the assurance then given, and oppose it. "Congress," he declared, "would be as wise one year after we have put down the rebellion as they were to-day." Mr. Harris, of New-York, said the measure of increasing the army had been entered upon as an administration measure. The adoption of the amendment would be "virtually, practically, indirectly to defeat this measure of the administration, for, I maintain, that, if this amendment be adopted, we convert these regi-

ments into volunteer forces." Mr. Hale, of New-Hampshire, had always been "opposed to an increase of the army and in favor of the diminution of it," but he thought, "it would be most unwise to engraft such an amendment as this on the bill at this time." Mr. Grimes did not believe we required a large standing army. "I believe," he said, "with my ancestors, that standing armies are hostile in their tendency and effect on republican governments; that they are provocative of wars; and I am not willing to say to the people of my section of the country that they are hereafter to support a larger standing army than that which is now authorized by law. It is not for us to dampen the ardor of the people at home whom we represent, by telling them that hereafter, if they support this war, and support the administration, they are to have fastened upon them a large standing army of forty-three thousand men." Mr. Wilson said: "The country understands its own interests, and when this contest is closed, the public burdens will be such, the taxation will be such, that the people will seek all proper ways to reduce their expenditures; and if there is a man in the army more than they want, they will strike that man's name from the rolls. Believing that the people then will know what they want, what their own interests require, and that they will be just as competent to decide this question as we are today, I choose to leave the question with them." Mr. Howe, of Wisconsin, moved to amend Mr. King's amendment, by striking out the words, "shall be reduced to the number, grade, rank, and pay authorized by law on the first of May, 1861," and insert, "may be reduced in such manner as Congress may direct." Mr. Howe believed the country required an addition to the standing army to protect the additional miles of frontier, the new routes of communication, and the relations with the Indian tribes within the borders. Mr. Howe's amendment to Mr. King's amendment was agreed to. The question recurring on Mr. King's amendment as amended, it was rejected. Mr. King remarked that his second amendment was only a part of the first, and with the failure of the first, it, of course, falls, and the amendment was rejected.

Mr. Johnson, of Tennessee, demanded the yeas and nays on the question of increasing the standing army. Mr. Grimes moved a reconsideration of the vote rejecting Mr. King's amendments, as he wanted to record his name against the permanent increase of the standing army. Mr. King hoped they would be unanimously reconsidered, and they were so reconsidered. The question recurring on the amendments as amended, Mr. Grimes demanded the yeas and nays, and they were ordered. The question, being taken by yeas and nays, resulted—yeas, twenty-three; nays, eighteen. Mr. King suggested that the second amendment ought not to be adopted, and it was rejected. The bill as amended was then passed without a division.

In the House of Representatives, on the fifteenth of July, Mr. Blair reported from the Mili-

tary Committee a bill to increase the efficiency of the volunteer forces of the United States. On the sixteenth, the House, in Committee of the Whole, proceeded to its consideration. This bill was in substance the Senate bill to increase the military establishment, introduced on the sixth of July, by Mr. Wilson, and which passed the Senate on the fifteenth. It converted the eleven regiments into a volunteer force. It provided that the enlistments for these regiments should be under the charge of the officers appointed from civil life, and that the officers appointed from the army should be detailed for service in the volunteer regiments in the field. Mr. Blair stated that the Military Committee of the House unanimously dissented from the recommendation of the Secretary of War; they did not consider that there was any occasion to increase the military establishment; but as something had been done to organize the new regiments, the Committee had stripped the organization of that feature which alone made it repugnant to a free people—that of establishing a large standing army. Mr. Burnett, of Kentucky, declared that "the President has exercised powers that would have deprived any despot in Europe of his crown, if he had dared to do it." As one of the representatives of Kentucky, he protested against that State being called upon to furnish one man or one dollar of money to carry on the war. Mr. Holman, of Indiana, declared that Mr. Burnett, and especially Mr. Vallandigham, misapprehended the spirit of the country. "There never was a day or hour when the people intended to submit to the overthrow of the Union. Their moderation and forbearance became the great occasion; and in it I see the evidence of an unwavering purpose, the anchor of enduring hope. If in this emergency the administration had hesitated, the storm of indignation, irresistible as the sand-storm on the Lybian desert, would have swept it away. If questionable powers have been assumed, it was at the demand of public opinion. The overwhelming necessity, the safety of the capital, the safety of the public honor, the safety of the Union, and more than all, the safety of the public liberty, may be urged at least in extenuation. For it is an ancient maxim, older than the Constitution, that 'the safety of the people is the supreme law.'" Several slight amendments were agreed to in the Committee of the Whole, and concurred in by the House, and the bill was then passed without a division. On the eighteenth, Mr. Blair, from the Committee on Military Affairs, reported the Senate bill to increase the regular army, with an amendment as a substitute—the amendment being the House bill converting the regiments from regulars into volunteers. The substitute was adopted.

On the twenty-second, the Senate proceeded to the consideration of the House amendment. Mr. Wilson declared that the amendment effectively destroyed the measure, and if it was sustained by the Senate, the bill had better be at once abandoned. Mr. King supported the House

amendment. Mr. McDougall was not satisfied with the bill as it passed the Senate, deeming it inadequate to the wants of the country, but he was less satisfied with the amendment of the House. The Senate refused to concur in the House amendment.

The House, on the twenty-third, insisted on its amendment, asked a conference, and appointed Mr. Blair, of Missouri, Mr. Olin, of New-York, and Mr. Mallory, of Kentucky, managers.

In the Senate, on the twenty-fourth, on motion of Mr. Wilson, the Senate insisted on its disagreement, agreed to the conference asked for by the House, and appointed Mr. Wilson, Mr. Rice, and Mr. Lane, of Kansas, managers. In the House, on the twenty-fifth, Mr. Blair made the following report: "The Committee of Conference on the bill to increase the present military establishment, have agreed to recommend to their respective Houses as follows:

"That the House of Representatives recede from its amendments to the bill of the Senate, except section eight, and agree thereto with the following amendments:

"Strike out as follows, 'in such manner and to such extent as Congress may direct'; and insert, 'to a number not exceeding twenty-five thousand men, unless otherwise ordered by Congress.'

"And also 'Provided, That all the officers of the regular army who have been or may be attached or assigned to duty for service in any other regiment or corps, shall resume their positions in the regular army, and shall be entitled to the same rank, promotion, and emoluments, as if they had continued to serve in their own regiments or corps.'

"That the Senate recede from its disagreement to the eighth section of the amendment of the House, and agree thereto."

Mr. Blair said the Conference Committee on the part of the House felt constrained under present circumstances to recede from the amendments of the House, and to allow the Senate bill to pass, with an amendment, however, providing that the military establishment should be reduced at the end of the war to a number not exceeding twenty-five thousand men; that all the officers of the regular army who had been or might be attached or assigned to duty for service in any other regiment or corps, should resume their positions in the regular army, and should be entitled to the same rank, promotion, and emoluments, as if they had continued to serve in their own regiments or corps; and that the recruiting of these eleven new regiments should be placed in charge of officers appointed for the new regiments from civil life; and that, in the mean time, the officers of the regular army should not be employed in recruiting, but should be employed actively in the field. Mr. Vallandigham inquired if he was to understand that the report of the Conference Committee proposes to agree to the Senate bill increasing the standing army, as against the proposition to increase the volunteer force which was adopted by the

House. Mr. Blair replied, that the managers on the part of the House were exceedingly reluctant to yield their amendment, and nothing but what they deemed a pressing emergency would have induced them to yield their objections to the Senate bill. The report of the Committee of Conference was agreed to—ayes, eighty-one, noes, twenty-two. In the Senate, on the twenty-sixth, Mr. Wilson made a report from the Committee of Conference which was concurred in without a division, and the bill was approved by the President on the twenty-ninth of July, 1861.

### No. III.—*The Bill providing for the better Organization of the Military Establishment.*

In the Senate, on the sixth of July, Mr. Wilson, of Massachusetts, agreeably to notice given on the first day of the session, introduced a bill for the better organization of the military establishment. The bill contained eighteen sections, and provided:

For the appointment of an assistant secretary of war;

For an increase of the adjutant-general's department, and the promotion of the Adjutant-General to the rank of a brigadier-general.

For an increase of the quartermaster-general's department;

For an increase of the ordnance department;

For an increase of the corps of engineers, and the promotion of the chief to the rank of a brigadier-general;

For an increase of the medical department of the army;

For the addition to the medical staff of a corps of medical cadets;

For the employment of female nurses in the permanent hospitals;

For the appointment of one chaplain to each regiment;

For increasing the number of cadets at the Military Academy, and authorizing the President to fill the vacancies created by the rebellion;

For the repeal of the act allowing three months' extra pay for reënlistments, and the premium for accepted recruits;

For the repeal of the act requiring the Secretary of War to discharge minors;

For the change of the army ration whenever circumstances might render it advisable by substituting fresh meats, potatoes, or fresh or desiccated vegetables;

For allowing in the hospitals, such quantities of fresh or preserved fruits, milk, butter, and eggs as might be necessary for the proper diet of the sick;

On the tenth, Mr. Wilson, from the Committee on Military Affairs, to whom the bill had been referred, reported it back with amendments. The Senate, on the twelfth, proceeded to its consideration, and on motion of Mr. Grimes, struck out the provision giving the Adjutant-General the rank of a brigadier-general. The Committee on Military Affairs reported an amendment

providing that the Superintendent of the United States Military Academy — whom the law required to be selected from the corps of engineers—should be an officer of the army, a graduate of the Academy, and distinguished for his scientific attainments. Mr. Hale of New-Hampshire moved to strike out the words, “a graduate of the United States Military Academy”—years, fourteen; nays, twenty-seven. Mr. Grimes moved to strike out the entire amendment, but withdrew the motion to allow Mr. Wilson to move an amendment providing that the Superintendent of the Academy should be an officer of the engineer, topographical engineer, ordnance or artillery corps. This amendment to the amendment was agreed to, and the amendment as amended adopted.

The Military Committee reported as an amendment, to strike out the seventeenth section, authorizing the Commissary-General to vary the subsistence of the army by substituting fresh meats for salt meat, and potatoes, fresh or desiccated vegetables for other portions of the ration and to insert in lieu of it: “That the army ration shall be increased as follows, namely: twenty-two ounces of bread or flour, or one pound of hard bread, instead of the present issue; fresh beef shall be issued as often as the commanding officer of any detachment or regiment shall require it, when practicable, in place of salt meat; beans and rice shall be issued in the same ration in the proportions now provided by the regulation; and one pound of potatoes per man shall be issued at least three times a week, if practicable; and when these articles cannot be issued in these proportions, an equivalent in value shall be issued in some other proper food, and a ration of tea may be substituted for a ration of coffee, upon the requisition of the proper officer.” The amendment was agreed to. Mr. Wilson moved an amendment consisting of five sections, repealing the law allowing double rations to department commanders; providing that brevet rank should not increase pay; that officers entitled to forage should not commute it, but should draw in kind; that officers, when absent from duty six months, should not receive the allowances authorized by existing law; that sutlers might be appointed not exceeding one to each military post. This amendment was agreed to.

On motion of Mr. Grimes, the section authorizing the increase in the Ordnance Department was stricken out. Mr. Harris, of New-York, moved to amend the bill by adding: “That any cadet who shall hereafter be reported deficient, either in conduct or studies, shall be discharged from the Academy, and shall not be returned or reappointed except upon the recommendation of the academic board of the Academy.” Mr. Hale moved to amend so that such cadet could not be appointed to a place in the army. Mr. Fessenden suggested a modification of the amendment so that it would read, “or appointed to any place in the army before his class shall have left the Academy and received their commissions,” and Mr. Hale ac-

cepted the modification, and the amendment to the amendment of Mr. Harris was agreed to; Mr. Harris’s amendment was then adopted. Mr. Wade, of Ohio, moved to strike out the entire section relating to the Academy. He declared he was “not in favor of increasing the number of cadets. I do not think the experience of the country has been such as should lead us to be in any great hurry to increase the number of cadets or to add to the patronage of the Military Academy. I cannot help thinking that there is something wrong about this whole institution. I do not believe that in the history of the world you can find as many men who have proved themselves utterly faithless to their oaths, ungrateful to the Government that has supported them, guilty of treason and a deliberate intention to overthrow that Government which has educated them and given them its support, as have emanated from this institution.” On motion of Mr. Wilson, the eleventh section relating to the West-Point Academy, was stricken out with the view of perfecting the matter in a new bill.

On the seventeenth, the Senate resumed the consideration of the bill. Mr. Wilson moved to amend by striking out all after the enacting clause, and inserting a new bill of twenty sections. In explanation of its provisions, Mr. Wilson said: “I have labored night and day, for many days and nights, to fit and prepare this bill to meet the actual wants of the country; and in doing so, I confess that in every step of it, I have had to meet the interests, the jealousies, or the prejudices of men connected with the army of the United States. But in framing this bill, I have endeavored to be governed wholly by the public interest, and not by the wants or wishes of any particular men in the army or in the departments:

The first section provides for an Assistant-Secretary of War, with a compensation of three thousand dollars per year;

The second section makes an addition to the quartermaster’s department;

The third section provides that there shall be added to each of the corps of engineers and topographical engineers and the ordnance department, three first, and three second lieutenants;

The fifth section provides for raising three companies, to be composed of one hundred and fifty men each, to be sappers, miners, and pontooners;

The sixth section authorizes an addition to the medical department of the army, of ten surgeons, and twenty assistant surgeons;

The seventh section proposes to add to the medical corps, fifty young men—medical students—to be called dressers;

The eighth section provides that, in permanent hospitals, female nurses may be substituted for soldiers, under the guide and direction of the surgeons of those hospitals;

The ninth section provides that one chaplain shall be allowed to each regiment, to be selected and appointed by the President; but he must

be an ordained minister of some Christian denomination; leaving the pay precisely as it is now;

The tenth section authorizes the President to fill the vacancies in the Military Academy on the recommendation of Senators;

The eleventh section abolishes three months' pay for reënlistments;

The twelfth section provides that two dollars a month shall be retained, instead of one dollar, from the soldier's pay; the object to make every soldier feel that he has got so much reserved interest;

The thirteenth section repeals the fifth section of the act approved September twenty-eighth, 1850, which requires the Secretary of War to discharge from the service all minors;

The next section provides that in all cases of enlistment or reënlistment, the oath of allegiance may be administered by a commissioned officer of the army;

The fifteenth section provides that the regiments of dragoons, mounted riflemen, and cavalry, shall all be consolidated and be one arm;

The sixteenth section provides for the alteration of the army ration, increasing it to a small extent—increasing the bread and not the meat;

The seventeenth section provides that there may be allowed in the hospitals fruits, milk, butter and eggs;

The eighteenth section provides that there shall be appointed, by the Secretary of War, on the recommendation of the council of administration, and approval of the commanding officer, as many sutlers as the exigency may require.

The remaining sections are taken from the bill to create a retired list.

This bill now presented as a substitute has been examined most carefully in the Adjutant-General's office, in the Secretary of War's office, and finally was examined and revised by General Scott. It received the unanimous sanction of the Committee on Military Affairs. Mr. Grimes moved to amend the amendment by adding five new sections providing for a retired list of the navy. Mr. Hale, Chairman of the Naval Committee, declared his opposition to both propositions. Mr. Grimes thought there were at least twenty naval officers that ought to be retired; "It would be for the interest of the Government to get rid of these men, who are effete, unable to perform the duties of their positions, and take young, active, and patriotic men and place them in their stead." Mr. Grimes's amendment to Mr. Wilson's amendment was agreed to.

Mr. Hale moved to amend the amendment by striking out all relating to retiring boards for the army and navy, and adding three sections relating to double rations, brevet commissions, and commutation of forage, adopted by the Senate on motion of Mr. Wilson, and not included in his pending amendment. Mr. Nesmith opposed the section relating to the commutation of forage, and Mr. Hale withdrew it. Mr. Wilson demanded the yeas and nays on Mr. Hale's motion to strike out of his amendment the sections relat-

ing to retired lists in the army and navy, and to insert the new sections concerning brevet rank, and double rations for department commanders. Mr. Hale's motion was supported by Mr. Baker of Oregon, and opposed by Mr. Foster of Connecticut, Mr. Ten Eyck of New-Jersey, and Mr. Fessenden of Maine. The question being taken by yeas and nays, resulted—yeas, eleven; nays, twenty-seven.

Mr. Rice, of Minnesota, moved to amend the twentieth section at the end of the nineteenth line by adding—that should the Lieutenant-General be retired under this act, it should be without reduction in his current pay, subsistence, or allowances—yeas, twenty-nine; nays, eleven; so the amendment was agreed to. Mr. Hale moved to amend the bill, so as to give to retired officers "half-pay," instead of "pay." Mr. Collamer, of Vermont, suggested that "the amendment should be that they should retire upon half the pay to which they were entitled at the time of their being retired, provided that the same should never be less, by the year, than a certain named sum, say five hundred dollars a year, so as to give a man a support." Mr. Sherman moved to amend the bill so as to give the retired officer the pay proper of his rank, and no other allowances. Mr. Hale withdrew his amendment, and Mr. Sherman's amendment was agreed to. On motion of Mr. Sherman, sections two, three, and six of the bill increasing the adjutant-general's, the commissary, the quartermaster, and the medical departments were stricken out, and the following added as a new section: "That the President be authorized to appoint, by and with the advice and consent of the Senate, eight assistant adjutant-generals, six commissaries of subsistence, four quartermasters, and twenty assistant quartermasters, ten surgeons and twenty assistant surgeons, to have the pay, rank, and allowances, and perform the duties of similar officers in the present military establishment, and to hold their offices three years unless sooner discharged."

Mr. Hale moved as an additional section: "That so much of the sixth section of the act of August twenty-third, 1842, as allows additional or double rations to generals or other officers commanding geographical departments or divisions, or to the commandant of each permanent or fixed post garrisoned with troops, be, and the same is hereby, repeated." Mr. Wilson suggested that the amendment be so modified as to apply only to officers commanding in fixed fortifications and garrisons. Mr. Hale accepted the modification, and his amendment as modified was agreed to. On motion of Mr. Hale, the Senate, by a vote of twenty-one to eighteen, amended the bill by adding: "That officers having brevet commissions shall not be entitled to any increase of pay or emoluments, because of the exercise of command according to their brevet rank." Mr. Baker, of Oregon, wishing to make sure that this provision did not apply to General Scott, moved to amend the bill by adding, "That nothing in this act contained shall in any

event reduce the pay or emoluments of the Lieutenant-General of the army"—yeas, thirty; nays, six. Mr. Grimes moved to amend the substitute by adding, "That any commissioned officer of the army or navy, who, having tendered his resignation, shall, prior to due notice of the acceptance of the same by the proper authority, and without leave, quit his post or proper duties, with the intent to remain permanently absent therefrom, shall be regarded as a deserter and punished as such;" and the amendment was adopted. Mr. Foster moved to strike out of Mr. Wilson's substitute, "The superintendent of the Military Academy shall be an officer of the engineers, topographical engineers, ordnance, or artillery corps, a graduate of the United States Military Academy, and distinguished for his scientific attainments. He shall have the local rank, pay, and allowances of a colonel of engineers, and be appointed by the President, by and with the advice and consent of the Senate;" and the amendment was agreed to. On motion of Mr. Wilson, the bill was recommitted to the Committee on Military Affairs.

On the eighteenth, Mr. Wilson from the Military Committee, to whom the bill had been recommitted, reported it back with amendments. Mr. Wilson said, in explanation of the action of the Committee, that "The tenth section of the bill, in regard to the vacancies in the Military Academy, the committee have changed so that they shall be filled by the President, 'upon the nomination, by members of the House of Representatives, of two from each State now represented in the House.' This will change the appointment from the Senate to the delegation of each State in the House of Representatives, and will give to each State two cadetships to be filled up in that way.

"An amendment was moved and adopted by the Senate yesterday, to the twentieth section of the bill in regard to the retired list of the army, to pay the retired officers their pay proper, and nothing more. The Senator from Iowa suggested that there would be an inequality in the pay of the officer retired, and that was the chief reason for recommitting the proposition. The committee have arranged it in this way: that if any commissioned officer shall become incapable of performing the duties of his office, he shall be placed on the retired list, and withdrawn from active service and command and from the line of promotion, with the following pay, namely, major-generals, two thousand six hundred and forty dollars; brigadier-generals, one thousand four hundred and eighty-eight dollars; colonels, one thousand one hundred and forty dollars; lieutenant-colonels, nine hundred and sixty dollars; majors, eight hundred and forty dollars; captains, seven hundred and twenty dollars; first lieutenants, five hundred and forty dollars; second lieutenants, five hundred and forty dollars; without any other pay or allowances. That is the pay proper now received by the officers of the infantry and artillery. It is the full pay proper of these officers, without any emoluments, and

according to the proposition made by the Senator from Ohio [Mr. Sherman] yesterday, which was sustained by the Senate. This places officers of engineers, artillery, and infantry on the same footing, and does away with the objection, made by the Senator from Iowa, of inequality.

"The Committee propose to change the twenty-eighth section, in regard to the retired officers of the navy, by striking out the words 'leave-of-absence pay he was entitled to at the time of such retirement,' and inserting the words 'pay allowed by this act.'

"In the twenty-ninth section, the Committee propose to insert, after the word 'promotion,' in line six, these words:

"With the following pay, namely, captains in the navy, one thousand three hundred dollars; commanders in the navy, one thousand one hundred dollars; lieutenants in the navy, one thousand dollars; surgeons, ranking with captains, one thousand three hundred dollars; with commanders, one thousand one hundred dollars; with lieutenants, one thousand dollars; paymasters, ranking with captains, one thousand three hundred dollars; with commanders, one thousand one hundred dollars; with lieutenants, one thousand dollars; chief engineers, one thousand dollars; first assistant engineers, seven hundred dollars; second assistant engineers, five hundred dollars; and third assistant engineers, four hundred dollars; masters, four hundred dollars; passed midshipmen, three hundred and fifty dollars; without any other pay or allowance. Captains, commanders, and lieutenants now on the retired list of the navy, shall receive the same compensation, and no greater, than is allowed to the officers of the same rank by the provisions of this act."

"The officers that have been retired heretofore receive a larger pay than we propose to give officers retired by this act; this proposition places all the officers who are or may be retired, on the same footing. Other slight changes have been made in the bill, but they are merely verbal."

The Secretary of the Senate then read the amendments proposed by the Military Committee, as the first seven sections of the bill, and they were severally agreed to.

The next amendment was to insert as section eight, "That existing vacancies at the Military Academy, from congressional districts where there have been failures to make nominations according to the provisions of existing laws, shall be supplied by the President upon the nomination by members of the House of Representatives from such States as are represented in Congress: *Provided*, That but two cadets shall be appointed from any one State; and that such cadets shall be actual residents of the State from which they are nominated, and shall have the qualifications for admission to the Military Academy as are now required for appointments from congressional districts and at large. And no cadet, who shall hereafter be reported as deficient, either in conduct or studies, and recommended to be discharged from the Academy, shall be returned or reappointed, or appointed to

any place in the army before his class shall have left the Academy and received their commissions, unless upon the recommendation of the academic board of the Academy." Mr. Fessenden moved to strike out the words, "by members of the House of Representatives," and insert, "by the Governors of the respective States"—rejected, yeas, sixteen; nays, twenty-two. The question recurring on the amendment of the Committee, it was rejected. On motion of Mr. Wade, so much of the section as refers to the appointment of cadets to the Military Academy, was stricken out. Mr. Wilson moved to insert in lieu of the words stricken out by Mr. Wade, "That the President of the United States be, and he is hereby, authorized to fill any existing vacancies at the United States Military Academy, from congressional districts for which no nominations are made by Representatives in Congress, by appointments from those districts or from the respective States at large"—yeas, seventeen; nays, twenty-three; so the amendment to the amendment was rejected. Mr. Carlisle, of Virginia, moved to insert in the blank made by Mr. Wade's amendment, "That existing vacancies at the Military Academy, from congressional districts where there have been failures to make nominations, according to the provisions of existing laws, shall be supplied by the President, upon the nomination of Senators from such States as are represented in the Senate;" the amendment was rejected.

The Secretary then read the amendments reported by the Military Committee, as sections nine to twenty-nine inclusive, and they were severally agreed to.

Mr. Wilson moved to amend the second section, by providing for the appointment of five assistant inspectors-general, with the rank and pay of a major of cavalry, and the amendment was agreed to. Mr. Powell, of Kentucky, moved as an additional section, "That no part of the army or navy of the United States shall be employed or used in subjecting or holding as a conquered province any sovereign State now or lately one of the United States, or in abolishing or interfering with African slavery in any of the States." Mr. Lane, of Kansas, moved to amend the amendment by adding to it, "Unless a military necessity shall exist for enforcing the laws or maintaining the Constitution of the Union." These amendments were discussed by Messrs. Powell, Browning, Carlisle, Fessenden, Howe, Sumner, Polk, and Saulsbury. Mr. Lane's amendment to Mr. Powell's amendment was rejected, eleven Senators voting for, and twenty-four against it. Mr. Sherman moved to strike out all of Mr. Powell's amendment, and insert, "That the purposes of the military establishment provided for in this act are to preserve the Union, to defend the property, and to maintain the constitutional authority of the Government." The amendment was agreed to—yeas, thirty-three; nays, four. Mr. Breckinridge moved to add to Mr. Sherman's amendment, the words, "but the army and navy shall not be employed for the purpose of subjugating any State, of reducing it to

the condition of a territory or province, or to abolish slavery therein." The amendment was rejected—yeas, nine; nays, thirty. The question recurring on the original amendment as amended, it was rejected. The bill was then passed as amended.

In the House of Representatives, on the fifteenth, Mr. Blair, from the Military Committee, reported a bill for the better organization of the military establishment, and, on the nineteenth, the bill was taken up, amended, and passed. On the twenty-third, Mr. Blair from the Committee on Military Affairs, to whom had been referred the Senate bill for the better organization of the military establishment, reported it back with an amendment as a substitute. The substitute was adopted, and the bill as amended passed.

In the Senate, on the twenty-fourth, the bill with the House amendment was taken up for consideration. Mr. Hale moved that the bill and amendment be referred to the Military Committee, but the motion was not agreed to. Mr. Wilson hoped the Senate would disagree to the amendment, and send the bill back to the House at once. Mr. Grimes said this bill as it went from the Senate, "was more thoroughly discussed and better understood by the members of this body, than any bill that has been passed at this session; and he should vote to non-concur in the House amendment which struck out some of the most material provisions of the Senate bill." The amendment was non-concurred in. The House insisted on its amendment, asked a committee of conference, and appointed Mr. Blair, of Missouri, Mr. Crittenden, of Kentucky, and Mr. Olin, of New-York, conferees. The Senate, on motion of Mr. Wilson, insisted on its disagreements, agreed to a conference committee, and the chair appointed Mr. Wilson, of Massachusetts, Mr. Grimes, of Iowa, and Mr. Rice, of Minnesota, conferees.

In the House, on the twenty-seventh, Mr. Blair, from the committee of conference, made a report that the House recede from its amendment to the Senate bill, and agree to it with several amendments; and the report was accepted. In the Senate, on the twenty-ninth, Mr. Wilson, from the committee of conference, made a report, which was opposed by Mr. Hale, Mr. Baker, and Mr. Sherman, and rejected. On motion of Mr. Wilson, the Senate insisted on its disagreement to the House amendment, and asked for another committee of conference. Mr. Wilson, Mr. Sherman, and Mr. McDougall were appointed conferees. The House agreed to a further conference, and appointed Mr. Blair, of Missouri, Mr. Kelley, of Pennsylvania, and Mr. Jackson, of Kentucky, conferees on its part.

In the Senate, on the first of August, Mr. Wilson from the second committee of conference, reported that the committee of conference on the disagreeing votes of the two Houses on the bill providing for the better organization of the military establishment, had agreed to recommend to their respective Houses, That the House re-

cede from its amendments to the Senate bill, and agree to it, with amendments; and the report was concurred in—yeas, twenty-seven; nays, nine. In the House, Mr. Blair made the report of the committee of conference, which was concurred in. This bill, containing twenty-five sections, was approved by the President on the third of August, 1861.

No. IV.—*The Act in addition to the Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property.*

In the Senate, on the twenty-second of July, 1861, Mr. Wilson, on leave, introduced a bill in addition to the act for the employment of volunteers. The bill authorized the President to accept the services of volunteers, either as cavalry, infantry, or artillery, in such numbers as the exigencies of the public service might, in his opinion, demand, to be organized by the act of the twenty-second July, 1861. These volunteers were to be armed as the President might direct, to be subject to the rules and articles of war, and to be upon the footing in all respects with similar corps of the army, and to be inducted into the service for and during the war. Mr. Wilson desired to put the bill on its passage, but Mr. Pearce, of Maryland, objecting, it was passed over.

On the twenty-third, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the bill. On motion of Mr. Wilson the bill was amended by adding to the first section a proviso, “That the number of troops hereby authorized, shall not exceed five hundred thousand.” Mr. Wilson moved to amend the bill by adding as a new section, “That the President shall be authorized to appoint, by and with the consent of the Senate, for the command of the volunteer forces, such number of major-generals and of brigadier-generals as may in his judgment be required for their organization;” and the amendment was agreed to, and the bill as amended passed without a division.

In the House, on the twenty-fourth, Mr. Blair called up for consideration the Senate bill and passed it without a division, only fifteen members voting, on motion of Mr. Burnett, of Kentucky, for the yeas and nays. The President approved the bill on the twenty-fifth of July, 1861.

No. V.—*The Joint Resolution to approve and confirm certain Acts of the President of the United States, for suppressing Insurrection and Rebellion.*

In the Senate, on the sixth of July, 1861, agreeably to notice given on the fourth, Mr. Wilson, of Massachusetts, introduced a joint resolution to approve and confirm certain acts of the President. The resolution was read twice and referred to the Military Committee. On the eighth, Mr. Wilson reported it back without amendment.

The resolution set forth that, “Whereas, since

the adjournment of Congress, on the fourth day of March last, a formidable insurrection in certain States of this Union has arrayed itself in armed hostility to the Government of the United States, constitutionally administered; and whereas the President of the United States did, under the extraordinary exigencies thus presented, exercise certain powers and adopt certain measures for the preservation of this Government—that is to say: First. He did, on the fifteenth day of April last, issue his proclamation calling upon the several States for seventy-five thousand men to suppress such insurrectionary combinations, and to cause the laws to be faithfully executed. Secondly. He did, on the nineteenth day of April last, issue a proclamation setting on foot a blockade of the ports within the States of South-Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas. Thirdly. He did, on the twenty-seventh day of April last, issue a proclamation establishing a blockade of the ports within the States of Virginia and North-Carolina. Fourthly. He did, by order of the twenty-seventh day of April last, addressed to the Commanding General of the army of the United States, authorize that officer to suspend the writ of *habeas corpus* at any point on or in the vicinity of any military line between the city of Philadelphia and the city of Washington. Fifthly. He did, on the third day of May last, issue a proclamation calling into the service of the United States, forty-two thousand and thirty-four volunteers, increasing the regular army by the addition of twenty-two thousand seven hundred and fourteen men, and the navy by an addition of eighteen thousand seamen. Sixthly. He did, on the tenth day of May last, issue a proclamation authorizing the commander of the forces of the United States on the coast of Florida, to suspend the writ of *habeas corpus*, if necessary. All of which proclamations and orders have been submitted to this Congress. Now, therefore,

*Be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the extraordinary acts, proclamations, and orders hereinbefore mentioned, be, and the same are hereby, approved and declared to be in all respects legal and valid, to the same intent, and with the same effect, as if they had been issued and done under the previous express authority and direction of the Congress of the United States.

On the tenth, the Senate proceeded to the consideration of the resolution. Mr. Clark, of New-Hampshire, moved to strike out the words, “increasing the regular army by the addition of twenty-two thousand seven hundred and fourteen men, and the navy by an addition of eighteen thousand seamen.” He said he did not know that any thing had been done toward increasing the army or navy, which must necessarily be made by law retroactive. Mr. Wilson said that “A plan has been arranged for the organization of eleven regiments for the army. Officers have been appointed, commissioned

with some qualifications, sent to certain points of the country, and money has been placed in their hands to fill up the ranks of the army. In regard to filling up the navy, I understand that of the eighteen thousand men ordered for the navy several thousand have been enlisted, and are now in the employment of the Government. I do not think it wise to strike out this provision; I think it had better remain there."

Mr. Polk, of Missouri, desired to have the resolution go over to a future day. Mr. McDougall, of California, thought it of vast importance to act promptly. "I am here," he said, "to indorse the preliminary actions of the Government." Mr. Fessenden of Maine would oppose postponement after that day, though he would defer the consideration of the subject till the next day, if Mr. Polk was not ready to speak then. Mr. Saulsbury, of Delaware, saw no reason for passing the resolution. Mr. Clark withdrew his amendment, as the Military Committee were unanimous for it. Mr. Polk moved to postpone the resolution until the next day. Mr. Dixon and Mr. McDougall opposed it, and the motion was lost. Mr. King, of New-York, moved to amend by a proviso that within six months after the rebellion should be put down, the army should be reduced to its organization on the first of July, 1861. Mr. Latham, of California, was opposed to an increase of the regular army and to the suspension of the writ of *habeas corpus*. Mr. King accepted a suggestion of Mr. Hale to include in his amendment the navy. Mr. Kennedy, of Maryland, was prepared to sustain the administration in all just and constitutional measures, but he could not vote for all the propositions in the resolution. Mr. Wilson expressed the hope that Mr. King would withdraw his amendment and move it upon the army bill, and allow the vote to be taken on the resolution. Mr. Lane, of Indiana, said, as a member of the Military Committee he "had voted to report the resolution. The red right hand of armed rebellion was raised to strike down the Government under which we live—the freest, happiest, grandest Government upon earth; and the President was suddenly called upon to put down this armed rebellion. Every effort which he has made to that purpose meets my most hearty and cordial coöperation and support." Mr. Kennedy expressed his "solemn conviction that you will never reconstruct the Union by the sword;" he would ask Mr. Wilson if he "is apprised of any necessity for or any reasons that require or justify the suspension of the writ of *habeas corpus* in Maryland." Mr. Wilson replied: "I think the existence of a band of conspirators in the city of Baltimore, men who organized murder and shot down in the streets of that city brave men who were rallying at the call of their country to defend the capital of the nation and uphold the cause of the republic, is a full, complete justification of the President in authorizing General Scott to suspend the writ of *habeas corpus* in and about that city. There is no spot on this continent, none whatever,

where there have been blacker traitors than in and about the city of Baltimore—men ready for murder, for any crime—men who were organizing rebellion in that city, secreting arms that have since been discovered and taken from the men who have been arrested. If there ever was in any portion of the republic, any spot of earth, or any time, where and when the writ of *habeas corpus* ought to be suspended, the city of Baltimore was the spot, and the last few weeks the time, for its suspension."

Mr. Baker said: "As a member of the Military Committee, I agree heartily in the report of its Chairman of the bills now upon your table. Whether that peace shall be conquered at Richmond, or Montgomery, or New-Orleans, or in the wilds of Texas, I do not presume to say; but I do know, if I may use so bold a word, that the determined aggregated power of the whole people of this country—all its treasure, all its arms, all its blood, all its enthusiasm, kindled, concentrated, poured out in one mass of living valor upon any foe—will conquer." Mr. Fessenden suggested to Mr. King to modify his amendment so as to read: That nothing therein contained should be construed as authorizing a permanent increase of the army or navy beyond their force at that time. Mr. King so modified his amendment. Mr. Wilson thought "the proviso as proposed by the Senator from Maine, is one that we can all accept." Mr. Trumbull thought Mr. Fessenden had succeeded admirably in annexing a proviso which really had no meaning in it, but Mr. King expressed his satisfaction with it, and it was agreed to.

Mr. Latham moved to strike out of the resolution the words: "Fourthly. He did, by an order of the twenty-seventh day of April last, addressed to the Commanding General of the army of the United States, authorize that officer to suspend the writ of *habeas corpus* at any point on or in the vicinity of any military line between the city of Philadelphia and the city of Washington." The amendment was rejected. Mr. Polk asked the yeas and nays on the passage of the resolution, and they were ordered. He then addressed the Senate against its passage, expressing a wish to defer his speech until the next day. Mr. Wilson moved to postpone the resolution to the next day, and take up the volunteer bill, and it was postponed. On the eleventh, Mr. Polk resumed and concluded his speech against the resolution. Mr. Powell, of Kentucky, thought that instead of being engaged in an effort to pass through the Senate a resolution approving these violations of the Constitution by the chief Executive, these wanton and palpable violations of the Constitution, the assuming the war power, the officers who committed these usurpations should be arraigned at the bar of the Senate, and be on trial under impeachment. Mr. Breckinridge and Mr. Bayard expressed a desire to speak on the resolution, and the Senate, on motion of Mr. Wilson, postponed till the next day. On the sixteenth, Mr. Breckinridge addressed the Senate in opposition to the passage of the resolution.

He desired "the country to understand that the Constitution of the United States is no longer to be held as the measure of power on one side and of obedience on the other, but that it is to be put aside to carry out the purposes of the majority." Mr. Lane, of Indiana, declared: "I sanction and approve every thing that the President has done during the recess of Congress, and the people sanction and approve it, and there is no power this side of Heaven that can reverse that decision of the American people."

On the nineteenth, Mr. Bayard, of Delaware, addressed the Senate for two hours in opposition to the resolution; and on the twentieth, Mr. Latham, of California, spoke for nearly two hours against it, and Mr. Rice, of Minnesota, "indorsed to the fullest extent, all that had that day so ably and eloquently fallen from his lips." On the twenty-seventh, Mr. Johnson, of Tennessee, addressed the Senate at length. He declared the cause of the rebellion to be "disappointed, impatient, unhallowed ambition." "Certain men could not wait any longer, and they seized the occasion to do what they had been wanting to do for a long time—break up the Government. If they could not rule a large country, they thought they might rule a small one." He declared that "A distinguished Senator from Georgia once said, 'when traitors become numerous enough, treason becomes respectable.' Traitors are getting to be so numerous now that I suppose treason has almost got to be respectable; but God, being willing, whether traitors be many or few, as I have hitherto waged war against traitors and treason, and in behalf of the Government which was constructed by our fathers, I intend to continue it to the end." [Applause in the galleries.]

Mr. Pearce, of Maryland, spoke on the thirtieth, against the resolution and in condemnation of the action of the Government in his State, which he pronounced to be "positive, arbitrary, causeless, and wanton oppression." On the second of August, Mr. Wilson moved to take up the resolution for consideration. Mr. Trumbull, of Illinois, opposed the motion and demanded the yeas and nays, and they were ordered—yeas, twenty-eight; nays, eleven. Mr. Doolittle moved it to the Judiciary Committee. Mr. Polk demanded the yeas and nays, and they were ordered—yeas, seventeen; nays, twenty-three. Mr. Sherman, of Ohio, said: "I am going to vote for the resolution, and I am going to vote for it upon the assumption that the different acts of the administration recited in this preamble were illegal, and not upon the assumption that they were legal and valid. I 'approve' of the doing of them, and therefore I vote for that portion of the resolution. I am willing to make them as 'legal and valid' as if they had the previous express sanction of Congress; and therefore I vote for that clause of the resolution. I vote for these measures; and I approve them, as I said in the outset, all the more because the taking of them involved the President in some personal hazard. I will not approve them more, but I admire them the more because

he did not hesitate to save the republic, although the act of saving it might be attended by some personal risk to himself."

The Senate, on the sixth, resumed the consideration of the resolution. Mr. King thought we had no time to amend it and there was no probability that it would pass the House so near the close of the session. Mr. Fessenden was ready to vote for the passage of the resolution, but thought the House at that late hour would not pass it. Mr. Trumbull declared he never would vote for it, and yielded the floor to Mr. King, who moved to go into executive session. The motion prevailed, and the resolution was not again considered.

No. VI.—*The Bill to authorize the Secretary of War to reimburse Volunteers for Expenses incurred in employing Regimental Bands, and for other purposes.*

In the Senate, July fifteenth, Mr. Rice, of Minnesota, introduced a bill authorizing the Secretary of War to reimburse the New-York Seventy-first regiment for expenses incurred in employing regimental bands. The bill was read twice and referred to the Military Committee. On the nineteenth, Mr. Rice reported back the bill with an amendment to strike out all after the enacting clause, and to insert in lieu of it, that the Secretary of War be authorized and directed to refund, to the volunteers called out by the President's proclamation of the fifteenth April, one thousand eight hundred and sixty-one, such sums of money as might have been expended by the said volunteers in the employment of regimental or company bands during the period of their service under said proclamation: *Provided*, the amount to be allowed should not exceed that to be paid to volunteer bands regularly mustered into the service under the President's proclamation of May third, one thousand eight hundred and sixty-one. On the twentieth, the bill was considered, amended and passed, and on motion of Mr. Grimes its title was so amended as to read: "A bill authorizing the Secretary of War to reimburse volunteers for expenses incurred in employing regimental and other bands." In the House, on the twenty-seventh, Mr. Blair reported it back from the military committee to whom it had been referred, the bill authorizing the Secretary of War to pay regimental and other bands, employed by volunteer regiments, with an amendment as an additional section, providing "that the President, in accepting and organizing volunteers under an act entitled 'An act authorizing the employment of volunteers to aid in enforcing the laws and protecting public property,' approved July twenty-second, 1861, might accept the service of such volunteers without previous proclamation, and in such numbers, from any State or States as, in his discretion, the public service might require." The amendment was agreed to, and the bill as amended passed without a division. In the Senate, on the twenty-ninth, the House amendment was concurred in; and the bill was ap-

proved on the thirty-first of July, 1861, by the President.

No. VII.—*The Bill authorizing the President to appoint additional Aids-de-camp.*

In the Senate, on the thirty-first of July, Mr. Wilson, from the Committee on Military Affairs, reported a bill supplementary to an act entitled, "An act to increase the present military establishment approved July twenty-ninth, 1861." The bill provided that the President might, during the insurrection, upon the recommendation of the Lieutenant-General commanding the army of the United States, or of any major-general of the regular army commanding forces of the United States in the field, appoint such number of aids-de-camp, in addition to those authorized by law, as the exigencies of the service might, in the opinion of the President, require; such aids-de-camp to bear, respectively, the rank and authority of captains, majors, lieutenant-colonels, or colonels of the regular army, as the President might direct, and receive the same pay and allowances as were provided by existing laws for officers of cavalry of corresponding rank. The President was to cause the aids-de-camp appointed under the act to be discharged whenever they should cease to be employed in active service; and he might reduce the number so employed whenever he might deem it expedient so to do. Any officers of the regular army appointed aids-de-camp under the act, and attached or assigned to duty for service as such, were, on their discharge, to resume their positions in the regular army, and be entitled to the same rank and promotion as if they had continued to serve in their own regiments or corps.

Mr. Wilson stated that the number of staff officers was inadequate to the needs of the service. Mr. Doolittle desired some limitation upon the number. Mr. Wilson thought the discretion of the President an ample guarantee that no more will be appointed than the service required. The bill was passed without a division. In the House, on the first of August, the bill was taken from the Speaker's table, passed without opposition, and approved by the President, August fifth, 1861.

No. VIII.—*The Act to promote the Efficiency of the Engineer and Topographical Engineer Corps, and for other purposes.*

In the House of Representatives, on the fifth of August, 1861, Mr. Blair, from the Committee on Military Affairs, reported a bill to promote the efficiency of engineer corps. The bill provided that there should be added to each of the corps of engineers and topographical engineers, by regular promotion of its officers, two lieutenant-colonels and four majors, provided all vacancies created by such promotion should be filled by graduates of the Military Academy, recommended for such promotion by the academic board of that institution; and provided further, that said corps should be thereafter known as the first and second corps of engineers. It also

directed that there should be added to the corps of topographical engineers one company of soldiers, to be commanded by appropriate officers of such corps, to have the same pay and to be subject to the same rules and articles of war, and to be governed in every particular in the same manner, as the existing corps of topographical engineers. The bill was passed without amendment. In the Senate, on the fifth, the bill was taken up for consideration, and Mr. Wilson moved to amend by striking out all after the enacting clause, and inserting: "That there shall be added to each of the corps of engineers and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors.

"That there shall be added to the corps of topographical engineers, one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits, in every respect, as the company created by the act 'for the organization of a company of sappers, and miners, and pontoniers,' approved May sixteenth, 1846.

"That vacancies hereafter occurring among the commissioned officers of the volunteer regiments shall be filled by the Governors of the States respectively, in the same manner as original appointments; and so much of the tenth section of the act of the twenty-second of July, 1861, as is inconsistent therewith, be, and the same is hereby, repealed.

"That the President of the United States is hereby authorized to appoint two additional inspectors-general for the United States army; the said inspectors-general to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general."

The amendment was agreed to. Mr. Wilson then moved to amend by adding an additional section: "That so much of the first section of the act approved August fifth, 1854, as authorizes the appointment of civilians to superintend the national armories be and the same is hereby repealed; and that the superintendents of these armories shall be appointed hereafter from officers of the ordnance department." Mr. Wilson said his sympathies and feelings were in favor of a civil superintendent, but his judgment was in favor of the amendment, which would place the armory in the care of an officer experienced in the fabrication of arms. The amendment was agreed to. Mr. Wilson moved to insert as an additional section: "That the pay of the non-commissioned officers, musicians, and privates of the army of the United States be increased at the rate of four dollars per month, and to continue for three years from the passage of this act, and until otherwise fixed by law." Mr. Wilson "thought the public interest required that we should increase the pay of the volunteers from eleven to fifteen dollars a month, which seemed to be a reasonable compensation." Mr. Sherman said it was an ungracious task to object to an increase of the pay of the volunteers

or of the regular army; the amendment should not be adopted without great consideration. Mr. Wade said "there was no just proportion between the pay of officers and privates; we were not paying enough to our soldiers," and he was for the proposition. Mr. Wilson said that by advice of Senators around him, and of Mr. King, his colleague on the committee, he would withdraw the amendment and introduce it as a separate bill. Mr. Johnson, of Missouri, moved to amend by adding as an additional section, "that this Congress recommend the Governors of the several States to convene their Legislatures for the purpose of calling an election to select two delegates from each congressional district, to meet in general convention at Louisville, in Kentucky, on the first Monday in September next; the purpose of the said convention to be to devise measures for the restoration of peace to our country." Mr. Powell, of Kentucky, demanded the yeas and nays. Mr. Carlisle, of Virginia, thought the proposition "inopportune." Mr. McDougall, of California, wished "merely to amend the remark made by the Senator from Virginia; he says this proposition would be inopportune; I say it would be cowardly." The amendment was rejected; nine Senators voted for it, and twenty-nine against it. The bill as amended, was then passed without a division. On the same day, the House, on motion of Mr. Blair, concurred in the amendments of the Senate; and the President approved it on the sixth of August, 1861.

No. IX.—*The Bill to authorize an Increase in the Corps of Engineers and Topographical Engineers.*

In the Senate, on the second of August, 1861, Mr. Wilson, from the Committee on Military Affairs, reported a bill to increase the engineer corps. It provided, "That there should be added to each of the corps of engineers and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors; and that there should be added to the corps of topographical engineers one company of soldiers, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organization of a company of sappers and miners and pontoniers, approved May sixteenth, 1846." On the third of August, the bill was considered and passed without amendment. In the House, on the fifth, Mr. Blair, from the Committee on Military Affairs, to whom the Senate bill had been referred, reported it back with an amendment as an additional section, "That the President of the United States be authorized to appoint two additional inspectors-general of the United States army, to have the same rank and receive the same pay and allowances as are now provided by law for inspectors-general." The amendment was agreed to, and passed as amended. The Senate, on motion, of Mr. Wilson, concurred in the amendment; and the President approved the act on the sixth of August, 1861.

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No. X.—*The Bill making an Appropriation to deliver Arms to Loyal Citizens of Rebel States.*

In the Senate, on the twentieth of July, 1861, Mr. Johnson, of Tennessee, introduced a bill making an appropriation to pay the expenses of transporting and delivering arms and munitions of war to the loyal citizens of the States of which the inhabitants then or thereafter might be in rebellion against the Government of the United States, and to provide for the expense of organizing them into companies, battalions, regiments, or otherwise, for their own protection against domestic violence, insurrection, invasion, or rebellion. The bill provided that the sum of — dollars be appropriated, to be expended under the direction of the President, in supplying and defraying the expenses of transporting and delivering such arms and munitions of war as in his judgment might be expedient to place in the hands of any of the loyal citizens residing in any of the States of which the inhabitants were in rebellion against the Government of the United States, or in which rebellion was or might be threatened, and likewise for defraying such expenses as might be properly incurred in organizing and sustaining while so organized, any of said citizens into companies, battalions, regiments, or otherwise, for their own protection against domestic violence, insurrection, invasion, or rebellion. The bill was referred to the Committee on Military Affairs. On the twenty-third, Mr. Wilson, from the Committee on Military Affairs, reported the bill without amendment, and asked unanimous consent to consider it then, which was given. Mr. Wilson said the committee had not filled the blank, wishing to leave it to the Senate. Mr. Johnson, of Tennessee, moved that the blank be filled by inserting two millions, and the amendment was agreed to. On motion of Mr. Johnson, it was amended so as to read: "The loyal citizens residing in any of the States which are in rebellion against the Government of the United States, or in which rebellion is or may be threatened." Mr. Collamer, of Vermont, did not like the phraseology of the bill; he thought States could not be in rebellion, but the inhabitants might be. He moved to so amend it, as to make it read, "the States of which the inhabitants, now or hereafter may be in rebellion." This amendment was adopted, and the bill passed. In the House, the bill was referred to the Military Committee; and on the twenty-seventh, it was reported by Mr. Blair, and passed without a division. It was approved by the President on the thirty-first of July, 1861.

No. XI.—*The Act making Appropriations, and for other purposes.*

In the Senate, August first, 1861, Mr. Wilson, of Massachusetts, reported from the Committee on Military Affairs, a bill appropriating one hundred thousand dollars for contingencies for fortifications, to be used and applied under the direction of the Secretary of War; providing that any

commissioned officer of the army, navy, or marine corps, who, having tendered his resignation, should, prior to due notice of its acceptance by proper authority, and without leave, quit his post or proper duties, with the intent to remain permanently absent, should be registered as a deserter, and punished as such; and abolishing flogging in the army, as a punishment for desertion. Mr. Hale, of New-Hampshire, moved to strike out of the bill the words, "for desertion," so that it would read, "that flogging as a punishment in the army is hereby abolished." Mr. Hale's amendment was agreed to, and the bill as amended passed. In the House, on the third of August, Mr. Stratton, of New Jersey, from the Committee of Ways and Means, reported back the bill with several verbal amendments, which were agreed to, and the bill passed by the House. The Senate concurred in these amendments, passed it as amended; and the President approved it on the fifth of August, 1861.

*No. XII.—The Bill to provide for the Purchase of Arms, Ordnance, and Ordnance Stores.*

In the Senate, July twenty-ninth, 1861, Mr. Wilson introduced a bill to provide for the purchase of arms, ordnance and ordnance stores, which was read twice, and referred to the Committee on Military Affairs. Mr. Wilson, from the Military Committee, reported back the bill without amendment, and it was passed without a division. In the House, on the first of August, Mr. Stevens, of Pennsylvania, from the Committee of Ways and Means, reported the Senate bill to provide for the purchase of arms; it was passed by unanimous consent, and approved by the President on the third of August, 1861.

*No. XIII.—The Act to increase the Pay of the Privates of the Army.*

In the Senate, on the fifth of August, 1861, Mr. Wilson, of Massachusetts, from the Committee on Military Affairs, introduced a bill to increase the pay of the non-commissioned officers, musicians and privates of the regular army, volunteers, marines, and seamen in the service of the United States. The Senate, on motion of Mr. Wilson, proceeded to the consideration of the bill. Mr. Collamer, of Vermont, moved to amend by making the increase four dollars per month; and the amendment was agreed to—yeas, eighteen; nays, seventeen. Mr. Wilson then moved to amend by adding as a new section, "That all the acts, proclamations, and orders of the President of the United States, after the fourth of March, 1861, respecting the army and navy of the United States, and calling out or relating to the militia or volunteers from the States, are hereby approved, and in all respects legalized and made valid to the same intent and with the same effect as if they had been issued and done under the previous express authority and direction of the Congress of the United States." Mr. Breckinridge said that the amendment sounded like the joint resolution to ratify and approve all acts of the President since the

fourth of March, but one or two features of it were left out. Mr. Wilson replied that one or two features of the joint resolution were left out, but he intended to call up the joint resolution when this bill should pass. The amendment was agreed to. Mr. Powell demanded the yeas and nays on the passage of the bill, and they were ordered—yeas, thirty-three; nays, five; so the bill was passed. On motion, the title was amended by adding the words, "and for other purposes."

In the House, Mr. Stevens, of Pennsylvania, called up the bill, and moved to amend it by reducing the increase of pay from four dollars per month to two dollars per month. He declared his willingness to increase the pay, but did not see where the money was to come from; he was alarmed at the expenses of the Government, which were one and a quarter millions per day. The amendment was rejected—yeas, thirty-two; nays, sixty six. Mr. Stevens then moved to amend by adding as a new section, "That the provisions of the act entitled 'An act for the relief of the Ohio and other volunteers,' approved July twenty-sixth, 1861, be, and the same are hereby, extended to all volunteers mustered into the service of the United States, whether for two or three years or for and during the war." Mr. Stevens explained that the amendment was intended to correct the mistake made in using the words "militia," instead of "volunteers." The amendment was agreed to. Mr. Vallandigham moved to strike out the second section, "That all the acts, proclamations, and orders of the President of the United States, after the fourth of March, 1861, respecting the army and navy of the United States, and the calling out, or relating to the militia or volunteers from the States, are hereby approved, and in all respects legalized and made valid to the same intent and with the same effect as if they had been issued and done under the previous express authority of the Congress of the United States." The yeas and nays were taken and resulted—yeas, nineteen; nays, seventy-four. Mr. Wickliffe, of Kentucky, thought the increase would be eighteen million dollars, and he moved that the bill be laid on the table, but the motion was lost. The bill was passed without a division. In the Senate, the House amendment to the bill was agreed to. Mr. Wilson moved to reconsider the vote by which the Senate concurred in the House amendment, "that the provisions of the act entitled 'An act for the relief of the Ohio and other volunteers,' approved July twenty-fourth, 1861, be, and the same are hereby, extended to all volunteers, mustered into the service of the United States, whether for one, two, or three years, or for and during the war." The motion was agreed to, and then on motion of Mr. Wilson, the bill was laid on the table.

Mr. Wilson then by unanimous consent introduced "a bill to increase the pay of the privates in the regular army, and of the volunteers in the service of the United States, and for other purposes." The bill proposed to increase the pay of the privates to thirteen dollars a month; and also extended the provisions of the

act "for the relief of the Ohio and other volunteers" to all volunteers, no matter for what term of service they might have been accepted. Mr. Wilson moved to amend the bill by adding as an additional section, "That all the acts, proclamations, and orders of the President of the United States after the fourth of March, 1861, respecting the army and navy of the United States, and calling out or relating to the militia or volunteers from the States, are hereby approved and in all respects legalized and made valid to the same intent and with the same effect as if they had been issued and done under the previous express authority and direction of the Congress of the United States."

Mr. Breckenridge called for the yeas and nays, and they were ordered; and being taken, resulted—yeas, thirty-seven; nays, five; as follows:

Yea—Messrs. Anthony, Bingham, Browning, Carlisle, Chandler, Clark, Collamer, Cowan, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Howe, Johnson of Tennessee, King, Lane of Indiana, Lane of Kansas, Latham, McDougall, Morrill, Pomeroy, Rice, Sherman, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wiley, Wilmot, and Wilson—thirty-seven.

Nays—Messrs. Breckenridge, Bright, Kennedy, Pearce, and Powell—five. So the amendment was agreed to, and the bill passed. In the House, Mr. Stevens moved to take up the bill for consideration; but Mr. Crisfield, of Maryland, objected. Mr. Stevens appealed to him to withdraw his objection. He thought if Congress should adjourn without passing the bill, it would cause very great inconveniences and perhaps create the necessity for an extra session. Mr. Crisfield withdrew his objection; Mr. Johnson renewed it. Mr. Stevens then moved a suspension of the rules, and two thirds having voted for it, they were suspended, and the bill passed. It was approved by the President, on the sixth of August, 1861.

No. XIV.—*A Resolution expressing the Sympathy of Congress for the Bereaved Families and Friends of our Soldiers who have fallen in Defence of the Republic.*

In the House, on the second of August, 1861, Mr. Cox, of Ohio, by unanimous consent introduced a joint resolution expressing the sympathy of Congress, for the bereaved families and friends of our soldiers who have fallen in defence of the republic.

The resolution declared "that we acknowledge the faithful services and loyal devotion of our soldiers, who have fought and fallen in defending our flag and in vindicating the supremacy and majesty of the republic. Whether successful, or compelled, by the overwhelming numbers of the enemy, to resign a victory already won, their graves are honored, and history invests their names with unfading renown. And while the national Legislature expresses the sympathy of the nation for their bereaved families and friends, we commend to a generous people and

the army, which is now eager to renew the contest, the imperishable honor of their example." It was unanimously passed. In the Senate, on motion of Mr. Latham, of California, it was considered and unanimously passed.

No. XV.—*The Bill to provide for Allotment Certificates among the Volunteer Forces.*

In the Senate, on the ninth of December, 1861, Mr. Wilson, of Massachusetts, introduced a bill to provide for allotments of pay in the army. It was read twice, and referred to the Military Committee. On the seventeenth, Mr. Wilson reported it back from the committee, with an amendment in the nature of a substitute. The amendment proposed to strike out all after the enacting clause, and insert:

"That the President shall appoint for each State having volunteers in the service not exceeding three persons, who shall be authorized by the President's commission to visit the several departments of the army in which volunteers from their respective States may be, and there procure from said volunteers, from time to time, their respective allotments of pay to their families or friends.

"That the persons appointed as commissioners to carry into effect the preceding section of this act shall receive no pay or emoluments whatever from the Treasury of the United States.

"That the fifth section of the act of twelfth June, 1858, giving sutlers a lien upon the soldiers' pay, be repealed; and all regulations giving sutlers rights and privileges beyond the rules and articles of war be abrogated."

Mr. Grimes moved to amend the amendment of the Military Committee, so as to pay to each of the commissioners two thousand dollars per annum without mileage. Mr. Wilson thought the amendment would endanger the passage of the bill, and Mr. Rice declared he should vote against it, if it were proposed to induce men to take a charitable office for money. Mr. Grimes's amendment was rejected, the amendment of the committee agreed to, and the bill as amended passed without a division. In the House, on the twentieth of December, Mr. Olin, of New-York, from the Military Committee, reported back the bill without amendment, and it was passed without a division; and approved by the President, on the twenty-fourth of December, 1861.

No. XVI.—*The Bill relating to Courts-Martial in the Army.*

In the Senate, on the ninth of December, 1861, Mr. Wilson, of Massachusetts, introduced a bill relative to courts-martial, which was read twice, and referred to the Committee on Military Affairs. On the twelfth, Mr. Wilson reported it back with an amendment. The bill provided that in time of war the commander of a division or separate brigade might appoint general courts-martial, and confirm, execute, pardon, and mitigate their sentences, as allowed and restrained in the sixty-fifth and eighty-ninth articles of war to commanders of armies and departments; but sen-

tences of such courts extending to loss of life or dismissal of a commissioned officer, were to require the confirmation of the general commanding the army in the field to which the division or brigade belonged. It was further provided that when the division or brigade commander should be the accuser or prosecutor of an officer under his command, the court should be appointed by the next higher commander. The amendment of the Military Committee proposed to strike out the words, "of an officer under his command," so that it would read, "That when the division or brigade commander shall be the accuser or prosecutor, the court shall be appointed by the next higher commander;" and the amendment was agreed to. Mr. Doolittle suggested that the bill lie over, there was no occasion for its prompt passage. Mr. Wilson said the bill was in perfect harmony with the articles of war. It had been submitted to the Secretary of War, and he had replied that "the bill has been submitted to the Commanding General of the army, who reports that such an act is, in his opinion, absolutely necessary to facilitate the transaction of judicial business in a large army, and should be passed with as little delay as possible. The opinion of the Commanding General is concurred in and approved by this department." The bill was then passed without a division. In the House, on the twentieth of December, Mr. Blair, from the Military Committee, reported back the bill relative to courts-martial, without amendment, and it passed without a division. The President approved it on the twenty-fourth of December, 1861.

*No. XVII.—Joint Resolution, expressive of the Recognition by Congress, of the patriotic and gallant services of Brigadier-General Nathaniel Lyon, and of the Officers and Soldiers under his Command.*

In the House, on the eleventh of December, 1861, Mr. Blair introduced a joint resolution, expressive of the recognition by Congress, of the gallant and patriotic services of the late Brigadier-General Nathaniel Lyon, and the officers and soldiers under his command at the battle of Springfield, Missouri. It declared, "That Congress deems it just and proper to enter upon its records a recognition of the eminent and patriotic services of the late Brigadier-General Nathaniel Lyon. The country to whose service he devoted his life, will guard and preserve his fame as a part of its own glory.

That the thanks of Congress are hereby given to the brave officers and soldiers who, under the command of the late General Lyon, sustained the honor of the flag and achieved victory against overwhelming numbers at the battle of Springfield in Missouri. And that in order to commemorate an event so honorable to the country and to themselves, it is ordered that each regiment engaged shall be authorized to bear upon its colors the word "Springfield" embroidered in letters of gold; and the President of the United States is hereby requested to cause these reso-

lutions to be read at the head of every regiment in the army of the United States.

Mr. Edwards, of New-Hampshire, thought it inexpedient to require the President to have the resolution read at the head of every regiment in the army, and he moved to strike out so much of the resolution as required it. Mr. Colfax opposed the motion, and it was rejected. The resolution was then unanimously passed. In the Senate, on the twelfth, the resolution was referred to the Military Committee, and on the twentieth, Mr. Wilson reported it back without amendment. The Senate, on motion of Mr. Wilson, proceeded to consider the joint resolution, and after remarks by Mr. Pomeroy, of Kansas, and Mr. Dixon, and Mr. Foster, of Connecticut, it was unanimously passed. It was approved by the President, on the twenty-fourth of December, 1861.

*No. XVIII.—Bill authorizing the Appointment of one or more Assistant Secretaries of War.*

In the Senate, on the twentieth of January, 1862, Mr. Wade, of Ohio, introduced a bill to authorize the Secretary of War to appoint one or more assistant secretaries, which was read twice, and referred to the Military Committee. On the twenty-first, the Senate, on motion of Mr. Wade, discharged the Committee on Military Affairs, from the further consideration of the bill, and proceeded to its consideration. Mr. Wilson moved to strike out all after the enacting clause, and insert in lieu of it, "That the President be, and he is hereby, authorized to appoint two additional assistant secretaries of war, whose salary shall each be three thousand dollars per annum, who shall perform all such duties in the office of the Secretary of War, belonging to that department, as shall be prescribed by the Secretary of War, or as may be required by law; the offices of these additional assistant secretaries to continue for one year." On motion of Mr. Hale, the amendment was so amended as to provide that they should be appointed "by and with the advice and consent of the Senate." The amendment as amended was adopted as a substitute for the bill, and passed. In the House, on the same day, Mr. Gooch, of Massachusetts, moved that the bill be put on its passage, and demanded the previous question, which was ordered—yeas, seventy; nays, thirty-five. On motion of Mr. Holman, of Indiana, the yeas and nays were taken on its passage, and being taken, resulted—yeas, ninety-one; nays, thirty. So the bill passed, and was approved by the President, on the twenty-second of January, 1862.

*No. XIX.—The Resolution in relation to the Allotment Certificates of Pay to Persons held as Prisoners of War in the so-called confederate States.*

In the Senate, on the thirtieth of January, 1862, Mr. Rice, of Minnesota, introduced a joint resolution, relative to allotment tickets to prisoners of war. The Senate proceeded to consider the resolution, which required the Secretary of

War to procure from such officers and enlisted men of the United States army, as were or thereafter might be held as prisoners of war in the so-called confederate States, from time to time, their respective allotments of pay to their families or friends, certified by them in writing, and duly attested, in pursuance of such orders as might be made by the Secretary of War for that purpose, and upon which certified allotment he shall cause drafts to be made payable in New-York to the order of the persons to whom the allotments were or might be made, and to remit those drafts to the address of such person as might be designated in the allotment tickets. The resolution was then unanimously passed. The House concurred in passing the resolution, and it was approved by the President, on the sixth of February, 1862.

*No. XX.—The Bill to provide for the better Organization of the Signal Department of the Army.*

In the Senate, on the ninth of January, 1862, Mr. Wilson, from the Military Committee, reported a bill to provide for the better organization of the signal department of the army. On the tenth, the Senate proceeded to its consideration. It provided, that the President be authorized to appoint for service during the rebellion, as many signal officers, with the rank, pay, and emoluments of captains, or first lieutenants of cavalry, and as many enlisted men with the rank and pay of sergeants of cavalry as he might deem necessary. The bill also made the following appropriations: for the manufacture or purchase of signal equipments and signal stores, to equip and supply the forces now in the field, twenty thousand dollars. For contingent expenses of the signal department, one thousand dollars. For the manufacture or purchase of signal equipments and signal stores for countersign signals, to prevent the collision of friendly regiments, thirty-four thousand nine hundred dollars. Mr. Grimes moved to strike out "captains," and "first lieutenants," but after debate withdrew his motion, and on motion of Mr. Wilson, the first section, authorizing the President to appoint signal officers was stricken out. Mr. Sherman moved to amend by striking out the second section, providing that officers temporarily serving as signal officers, should receive for the time they were so serving, the pay and emoluments of cavalry officers of their respective grades, but the motion was lost, and the bill as amended, passed. In the House, on the seventeenth, Mr. Blair reported from the Military Committee, the bill without amendment, it was passed, and approved by the President, on the twenty-second of February, 1862.

*No. XXI.—The Bill making an Appropriation for completing the Defences of the City of Washington, and for other purposes.*

In the House of Representatives, December twentieth, 1861, Mr. Stevens, of Pennsylvania, from the Committee of Ways and Means reported a bill making an appropriation of one hundred

and fifty thousand dollars for completing the defences of Washington. Mr. Stevens asked for immediate action on the bill, which was recommended by the Chief-Engineer General Barnard. He stated that the defensive system of Washington, consisted of forty-eight works, mounting over three hundred guns, some of which were of very large size; and the actual defensive perimeter occupied, was about thirty-five miles, exceeding the length of the famous (and hitherto the most extensively fortified extemporized field-works) lines of Torres Vedras by several miles. The bill was passed without a division. In the Senate, on the thirteenth of January, 1862, Mr. Wilson, of Massachusetts, from the Military Committee, to whom the House bill had been referred, reported it without amendment. Mr. Clark, of New-Hampshire, moved to amend it by adding at the end, that the arrearages of all debts already incurred should first be paid out of this sum; and the amendment was agreed to. Mr. Pearce, of Maryland, and Mr. King, of New-York, opposed its passage. Mr. Wilkinson, of Minnesota, moved further to amend, "that no part of the sum hereby appropriated, shall be expended on any work hereafter to be performed." On the twenty-first, the Senate resumed the consideration of the bill, and Mr. Wilkinson's amendment was agreed to. Mr. Wilson moved to amend it by adding two sections, "That the fifth section of the act of the twenty-eighth of September, 1850, providing for the discharge from the service of minors enlisted without the consent of their parents or guardians, be, and the same hereby is, repealed: Provided, That hereafter no person under the age of eighteen shall be mustered into the United States service, and the oath of enlistment taken by the recruit shall be conclusive as to his age.

"That no volunteers or militia from any State shall be mustered into the service of the United States on any terms or conditions confining their service to the limits of said State or vicinity; and if any such volunteers or militia are in service contrary to the provisions of this act, the same shall be discharged." Mr. Powell moved to amend by striking out the words which provided, that the oath of enlistment should be final and conclusive as to the age of the minor. Mr. Wilson stated that under the law of 1850, persons were often discharged as minors, who were twenty-four or twenty-five years of age. Mr. Powell, Mr. Clark, and Mr. Trumbull opposed making the oath of enlistment conclusive as to age. Mr. Nesmith, of the Military Committee, believed it would cut off very great abuses. Mr. Powell's amendment to the amendment was rejected, and Mr. Wilson's amendment agreed to. Mr. Wilson moved to add as a new section, that the tenth section of the act of the tenth of April, 1860, shall read: "That in time of war or rebellion against the supreme authority of the United States, all persons who shall be found lurking as spies, or acting as such, in or about the fortifications, encampments, posts, quarters, or headquarters of the armies of the United States, or

any of them, shall suffer death by sentence of a general court-martial." Mr. Collamer, of Vermont, moved "that the amendment be amended so as to confine it to those found lurking as spies around any fortification or post within any of that part of the United States which has been or may be declared to be in a state of insurrection;" and the amendment to the amendment was agreed to—yeas, twenty-four; nays, not counted. Mr. Wilson then moved to amend by adding as a new section: "That the fifty-fifth article of the first section of the act of April tenth, 1806, chapter twenty, be, and the same is hereby, so amended as to read as follows:

"Whoever, belonging to the armies of the United States in foreign parts, or at any place within the United States, or their territories, during rebellion against the supreme authority of the United States, shall force a safe-guard, shall suffer death.

On the twenty-third, the Senate resumed the consideration of the bill, and the amendment to the fifty-fifth article of war was agreed to. Mr. Wilson then moved to modify Mr. Wilkinson's amendment, providing that no part of the money appropriated should be expended on work thereafter performed, so that it would apply to work thereafter commenced, and it was agreed to. The bill then passed without a division.

In the House, on the twenty-ninth, Mr. Blair reported from the Military Committee, in favor of concurring in the Senate amendment, excepting the third section, providing that no volunteers should be mustered into the service, on any conditions confining their service to the limits of their State, and that the House non-concur in that amendment. The report of the committee was concurred in. The Senate, on the thirtieth, disagreed to the amendment of the House to the Senate amendments. The House insisted upon its amendment, asked a committee of conference, and the chair appointed Mr. Blair, of Missouri, Mr. Thomas, of Maryland, and Mr. Hickman, of Pennsylvania, managers on the part of the House. On the fifth of February, the Senate, on motion of Mr. Wilson, insisted on its disagreement, concurred in a committee of conference, and the chair appointed Mr. Wilson, of Massachusetts, Mr. Grimes, of Iowa, and Mr. Henderson, of Missouri, managers. In the House, on the ninth, Mr. Blair, from the committee of conference, reported that the House agree to the amendment of the Senate, with an amendment, so that it would read: "That no volunteers or militia from any State or territory shall be mustered into the service of the United States, on any terms or conditions confining their services to the limits of such State or territory, or their vicinity, beyond the number of ten thousand in Missouri, and four thousand five hundred in Maryland, heretofore authorized by the President of the United States, or Secretary of War, to be raised in said States." Mr. Lovejoy moved to lay the report on the table, but the motion was lost, and it was then adopted, without a division. In the Senate, on the tenth, Mr. Wil-

son, from the committee of conference, made a report, which was concurred in; and the bill was approved by the President, on the thirteenth of February, 1862.

No. XXII.—*The Bill providing for the Promulgation of an additional Article of War, prohibiting Officers of the Army from Returning Fugitives from Service or Labor.*

In the House of Representatives, on the ninth of July, 1861, Mr. Lovejoy, of Illinois, introduced the following resolution, and demanded the previous question upon its passage: "That in the judgment of this House, it is no part of the duty of the soldiers of the United States to capture and return fugitive slaves." Mr. Mallory, of Kentucky, moved to lay it upon the table—yeas sixty-six; nays, eighty-one. The question recurring on agreeing to the resolution, Mr. Logan, of Illinois, demanded the yeas and nays, and they were ordered—yeas, ninety-three; nays, fifty-five.

In the Senate, on the fourth of December, 1861, Mr. Wilson, of Massachusetts, gave notice of his intention to introduce a bill to punish officers and privates of the army for arresting, detaining, or delivering persons claimed as fugitive slaves. Mr. Lovejoy, of Illinois, in the House of Representatives, on the fourth of December, 1861, introduced a bill, making it a penal offence to capture or return, or aid in the capture or return of fugitive slaves. It was read twice, and its consideration postponed to the tenth of December. In the Senate, on the seventeenth of December, Mr. Sumner, of Massachusetts, introduced, and asked for the immediate consideration of a resolution, providing that the Committee on Military Affairs and the Militia be directed to consider the expediency of providing, by additional legislation, that our national armies shall not be employed in the surrender of fugitive slaves. Mr. McDougall, of California, objecting, the resolution went over under the rule; but it came up for consideration the next, and Mr. Sumner stated that he had received communications in regard to the outrages committed in the armies. He said he was glad to know his friend and colleague, the Chairman of the Committee on Military Affairs, promised us at once a bill to meet this grievance. It ought to be introduced promptly, and to be passed at once. Mr. Cowan, of Pennsylvania, apprehended that there need be no possible difficulty whatever upon this question in any of its aspects. The resolution was agreed to.

Mr. Wilson, of Iowa, on the twenty-third of December, offered the following resolution, and demanded the previous question upon it: "That the Committee on Military Affairs be requested to report a bill to this House, for the enactment of an additional article of war, whereby all officers in the military service of the United States, should be prohibited from using any portion of the forces under their respective commands for the purpose of returning fugitives from service or labor, and to provide for the punish-

ment of such officers as might violate said article by dismissal from the service.

Mr. Wilson, of Massachusetts, on the twenty-third of December, introduced a bill in relation to the arrest of persons claimed to be held to service or labor by the officers of the military and naval service of the United States; which was read twice, and referred to the Committee on Military Affairs. It declared that officers in the military service of the United States have, without the authority of law, and against the plainest dictates of justice and humanity, caused persons claimed as fugitives from service or labor to be seized, held and delivered up; and that such conduct has brought discredit upon our arms and reproach upon our Government; and it therefore proceeded to enact, that any officer in the military or naval service of the United States, who should cause any person, claimed to be held to service or labor by reason of African descent, to be seized, held, detained, or delivered up to or for any persons claiming such service or labor, should be deemed guilty of a misdemeanor, and should be dishonorably discharged, and for ever ineligible to any appointment in the military or naval service of the United States.

On the sixth of January, 1862, Mr. Wilson reported back his bill from the Committee on Military Affairs, with an amendment. On the seventh of January, Mr. Wilson called it up, and the Senate proceeded to its consideration. The Committee on Military Affairs reported an amendment to strike out all of the original bill, and insert as a substitute: That it should be unlawful for any officer in the military or naval service of the United States to cause any person claimed to be held to service or labor by reason of African descent to be seized, held, detained, or delivered up to or for any person claiming such service or labor; and any officer so offending should be discharged from service, and be for ever ineligible to any appointment in the military or naval service of the United States. Mr. Saulsbury, of Delaware, moved its indefinite postponement—yeas, thirteen; nays, twenty-three. On motion of Mr. Carlisle, of Virginia, it was temporarily laid on the table.

The Senate, on the sixteenth of January, on motion of Mr. Wilson, took from the table and resumed the consideration of the bill to punish persons in the military and naval service, for arresting and delivering fugitive slaves. The pending question being on the amendment reported from the Committee on Military Affairs, to strike out the original bill, and insert the amendment as a substitute, Mr. Collamer, of Vermont, said: "Without criticising at all the form of expression of the proposed amendment, I offer a substitute for it, which I send to the chair: 'No officer of the army or navy of the United States, or of the volunteers or militia in the service of the United States, shall assume or exercise any military command or authority to arrest, detain, hold or control any person, on account of such person being holden to service as

of African descent; and any such officer so offending shall be dismissed from service.'" Mr. Wilson accepted the amendment proposed by the Senator from Vermont. Mr. Powell asked that the bill be postponed, and the amendment be printed, "in order that we may have some time to look into it." "The amendment," replied Mr. Wilson, "is very plain and simple; a child can comprehend its import. I hope that this important bill, which ought to have been passed on the second day of this session, for the honor of the country, will not be postponed any longer. "I have drawn up," said Mr. Saulsbury, "very hurriedly, an amendment, which I propose to insert as an additional section: 'Nor shall any soldier or officer, under like penalty, entice away or detain any person held to service or labor in the United States, from his or her master or owner.' If you adopt," said Mr. Saulsbury, "the amendment of the Senator from Vermont, you make it penal for a soldier or officer to return even to a loyal master or owner his slave: but you provide no penalty against any soldier or any officer for depriving even a loyal master of the services of his slave. My amendment proposes to prohibit, under the same penalty, an officer or a soldier of the army from decoying or enticing away from the service a slave, or from harboring a slave."

Mr. Rice, of Minnesota, proposed to amend Mr. Saulsbury's amendment by adding, "who may be a loyal citizen of the United States," and the amendment to the amendment was agreed to. Mr. Collamer thought that, under Mr. Saulsbury's amendment, if any soldier wanted to get dismissed from the service, he would have nothing to do but to entice a slave and he would get himself and the slave both dismissed. "I am opposed," said Mr. Wilson, "to this amendment in every shape and form, and to any legislation protecting, covering, or justifying slavery for loyal or disloyal masters. What I want to do is to put upon the statute-book of this country, a prohibition to the officers of the army from arresting, detaining, and delivering up persons claimed as fugitives, by the use of military power." Mr. Pearce, of Maryland, said: "The Senator from Massachusetts objects to a proposition which forbids officers and soldiers of the army from enticing, harboring, or preventing the recovery—that is the amount of it—of a fugitive slave, known to be such, upon the application of his master, known to be his lawful owner, according to the laws of the State in which he lives. What is the effect of that? It is an invitation to all the slaves of the State of Maryland, who can do so, to resort to this camp, sure of protection there, first, because no officer of the army can order their delivery up to their master, however loyal, or however indisputable his title may be to that slave."

The bill was then reported to the Senate; and, pending the question of concurring in Mr. Collamer's amendment, the Chair announced the special order of the day.

In the House, Mr. Blair, of Missouri, on the

twenty-fifth of February, reported from the Committee on Military Affairs a bill to make an additional article of war. The bill provided, that hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be obeyed and observed as such: "All officers are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any persons to whom such service or labor is claimed to be due. Any officer who shall be found guilty by court-martial of violating this article shall be dismissed from the service." Mr. Bingham, of Ohio, moved to add, after the word "officers," the words "or persons in the military or naval service of the United States;" and the amendment was agreed to. "You," said Mr. Mallory, of Kentucky, "are deciding, by this article of war, that the President of the United States shall not be permitted to send a military force into a State to aid the authorities of that State in enforcing a national law which stands on your statute-book." Mr. Mallory wished to postpone the bill to the third Wednesday in March. Mr. Lovejoy objected to Mr. Blair yielding the floor. Mr. Blair would yield the floor to Mr. Mallory for the purpose indicated. Mr. Bingham hoped Mr. Blair would not yield the floor to allow this bill to be postponed to the end of March: "If that practice is to be pursued by the army and navy under the American flag, it ought to cover with midnight blackness every star that burns upon its field of azure, and with everlasting infamy the men who dare to desecrate it to such base uses." Mr. Vallandigham, of Ohio, moved to lay the bill on the table; upon which Mr. Bingham demanded the yeas and nays—yeas, forty-four; nays, eighty-seven. Mr. Blair demanded the previous question upon the bill and amendment; and it was ordered. He did not wish to press the bill to a vote to-night, and moved an adjournment; but the motion was lost—yeas, fifty-nine; nays, sixty-one. The question was then taken on the passage of the bill—yeas, eighty-three; nays, forty-two. So the bill passed the House.

In the Senate, on the fourth of March, Mr. Wilson reported back from the Military Committee, without amendment, the House bill providing for the promulgation of an additional article of war, forbidding officers or persons in the military and naval service, on pain of dismissal from the service, to arrest or return fugitive slaves. Mr. Davis would like to offer an amendment, and desired that the bill should go over until to-morrow. Mr. Wilson would, with the understanding that we take up the bill and act on it to-morrow, withdraw his motion to proceed to its consideration, and the proposition was assented to.

On the tenth of March, Mr. Wilson moved to take up the bill from the House of Representatives to make an additional article of war. "I move to amend the bill," said Mr. Davis, "by inserting after the word 'due,' in the eleventh

line of the first section, the words, 'and also from detaining, harboring, or concealing any such fugitive.'" Mr. Saulsbury moved to amend by adding at the end of the first section, "That this article shall not apply in the States of Delaware, Maryland, Missouri, and Kentucky, nor elsewhere where the Federal authority is recognized or can be enforced"—yeas, seven; nays, thirty. Mr. Saulsbury moved to amend the bill by inserting after the word "due" in the eleventh line of the first section, the words, "or for the purpose of enticing or decoying such persons, held to service or labor, from the service of their loyal masters." The question, being taken by yeas and nays, resulted—yeas, ten; nays, twenty-nine. The bill was then passed—yeas, twenty-nine; nays, nine. It was approved by the President on the thirteenth of March, 1862.

No. XXIII.—*The Bill to provide for the Appointment of Sutlers in the Volunteer Service, and to define their Duties.*

In the Senate, on the second of January, 1862, Mr. Wilson, of Massachusetts, agreeably to notice, introduced a bill for the appointment of sutlers in the volunteers, and to define their duties, which was read twice, and referred to the Committee on Military Affairs. On the seventh, Mr. Wilson reported it back with amendments. The bill provided:

That the inspector-generals of the army should constitute a board of officers, whose duty it should be to prepare a list of such articles as might be sold by sutlers to the officers and soldiers of the volunteer service—the list to be subject to such revision as, in the judgment of the board, the good of the service might require; but the sale of intoxicating liquors should be in no way authorized by the board. A copy of the list, and of any subsequent change therein, and a copy of the act should be furnished by the board to the commanding officer of each brigade and of each regiment not attached to any brigade in the volunteer service.

That the acting brigadier-general, surgeon, quartermaster, and commissary of a brigade should constitute a board of officers, whose duty it shall be to affix to each article in the list a price for said brigade, which should be by them forthwith reported to the commanding officer of the division, if any, to which said brigade is attached, for his approval, with or without modification, and who should, after such approval, report the same to the inspector-general; and the same, if not disapproved by him, should be the price not exceeding which said articles might be sold. Whenever any brigade should not be attached to a division, said prices should then be reported directly to the inspector-general, and if approved by him, should be the price fixed for such brigade as aforesaid; and whenever any regiment should be unattached to any brigade, the acting colonel, lieutenant-colonel, major, and two senior captains thereof should constitute the board of officers by whom the price of the articles should be fixed for said regiment in the

same manner as was provided for an unattached brigade. The prices so fixed might be changed by the boards respectively from time to time not oftener than once in thirty days.

That it should be the duty of the commanding officer of each brigade, upon receipt of a copy of the list and copy of the act, to cause one sutler for each regiment in his brigade, to be selected by the commissioned officers of such regiment, which selection should be by him reported to the adjutant-general of the army; and if the same was not disapproved by the Secretary of War, the person so selected should be commissioned as sole sutler of the regiment. Any vacancy in the office of sutler, caused by the disapproval of the Secretary of War or from any other cause, should be filled in the same way as an original appointment.

That the sutlers chosen and commissioned should each be authorized to sell to the officers and soldiers of the regiment for which he had been chosen the articles designated in the list provided in the act, and none others, and at prices not exceeding those affixed to the articles. He should keep the list, together with a copy of the act, posted up in some conspicuous part of the place where he made his sales.

That it should be the duty of the inspector-general to cause the place of sale and articles kept for that purpose, by the sutlers, to be inspected from time to time, once in fifteen days at least, by some competent officer, and such changes in the place, or in the quality and character of the articles mentioned in the list so kept as should be required by said officer, should be conformed to by each sutler.

That there should be no sutler appointed or permitted to sell to or trade with the officers or soldiers of any regiment in the volunteer service except such as should be selected and commissioned in conformity with the provisions of this act.

That any sutler who should violate any of the provisions of this act should, upon conviction thereof, be dismissed from the service and be ineligible to a reappointment, and should forfeit all goods, chattels, and effects found within the lines of the army at the time of such violation, one half to the use of the United States and the other half to the use of the person or persons who should furnish such evidence as should lead to a conviction for any such violation.

The Military Committee proposed to amend the first section, requiring reports to be made to the adjutant-general instead of the inspector-generals, and the amendment was agreed to. The Committee proposed to strike out the provision prohibiting the appointment of a sutler except such as should be selected according to the provisions of the act, and insert that "no person shall be permitted to act as sutler unless appointed according to the provisions of this act; nor shall any person be sutler for more than one regiment; nor shall any sutler farm out or underlet the business of sutling or the privileges granted to him by his appointment; nor shall any officer of the

army receive from any sutler any money, or other presents; and any officer receiving such presents, directly or indirectly, shall be dismissed from the service. No sutler shall sell to an enlisted man on credit to a sum exceeding one fourth of his monthly pay within the same month; nor shall the regimental quartermasters allow the use of army wagons for sutlers' purposes, nor shall the quartermasters' conveyances be used for the transportation of sutlers' supplies: *Provided*, That nothing herein contained shall be so construed as to give sutlers a lien upon any part of the soldier's pay." The amendment was agreed to. Mr. Lane, of Kansas, moved to strike out all after the enacting clause and insert as a substitute: "That from and after the first day of February, 1862, the position of regimental and brigade sutlers shall be abolished in the army of the United States, regular and volunteer forces." Mr. Lane declared regimental sutlers unnecessary to the service; the sutler was an actual injury to the service. Mr. Wilson had intended, when he moved in the matter early in the session, to abolish the sutlers and adopt a system such as we had in the navy; but after consulting with the Quartermaster-General, the Commissary-General, the Inspector-Generals, the officers in the field, and with gentlemen of large experience, he had found it very difficult to apply to the land volunteer force the system so successfully working in the navy. He therefore proposed to regulate rather than abolish. Mr. Ten Eyck, of New-Jersey, thought the bill proposed would correct the abuses complained of. Mr. Wilkinson, of Minnesota, was opposed to the bill, and in favor of the motion of Mr. Lane. Mr. Fessenden was in favor of some bill that would correct the abuses, and the proposition of Mr. Wilson struck him favorably. Mr. Carlisle moved to recommit the bill with instructions to report a bill providing for a tobacco ration, and abolishing sutlers altogether. Mr. Grimes hoped the motion of Mr. Carlisle would not be adopted. Mr. Carlisle would "strike at the existence of these offices; cut them down if they are unnecessary; guard the soldier in the field from the sharks that are now following the army, that are absorbing what a generous Government is giving to its soldiers for their services, and that are throwing, as I know is the case in my own portion of the country, on the charities of those with whom the families of the soldiers reside to furnish to them the means of support." On the thirteenth, the Senate resumed the consideration of the bill, the pending question being on Mr. Carlisle's motion to recommit with instructions. Mr. Hale was for the abolition of sutlerships altogether. Mr. Wilson said if Senators did not wish to pass the bill there was but one other plan to adopt, and that was to authorize the Government to furnish the needed articles, and to authorize quartermasters to draw for them and deliver them to soldiers at cost prices. Mr. Collamer suggested the modification of Mr. Carlisle's amendment so that tobacco may be furnished to soldiers who would pay for it; and the motion

was so modified. On the twenty-ninth, the Senate resumed the consideration of the bill. Mr. Wilson stated that his original purpose was to rid the service of sutlers and adopt a system such as existed in the navy; and he had prepared with some care such a bill, and he was ready to present it. But "on reflection, on all the examination I can give the subject, on inquiry at the War Office, at the commissary department, at the quartermaster's department, on consultation with officers in the field, I am satisfied that the original bill as it was reported by the Committee on Military Affairs, which is a bill of regulation, will correct nearly all the abuses that now exist. I therefore prefer to make an amendment to the first section of the original bill, an amendment which I have prepared, on consultation with several officers in the field, and with persons who understand the subject."

"I propose to add to the first sentence of the first section of the bill the list of articles that we propose to allow sutlers to sell. This list may be modified and changed by the inspector-generals of the army, from time to time, as they see fit. I propose to amend the first section of the bill so it will read: That the Inspector-General of the army shall constitute a board of officers, whose duty it shall be to prepare, immediately after the passage of this act, a list or schedule of the following articles, which may be sold by sutlers to the officers and soldiers of the volunteer service, to wit: Apples, dried apples, oranges, figs, lemons, butter, cheese, milk, sirup-molasses, raisins, candles, crackers, wallets, brooms, comforters, boots, pocket looking-glasses, tin glasses, tin wash-basins, shirt-buttons, horn and brass buttons, newspapers, books, tobacco, segars, pipes, matches, blacking, blacking-brushes, clothes-brushes, tooth-brushes, hair-brushes, coarse and fine combs, emery, crocus, pocket-handkerchiefs, stationery, armor-oil, sweet-oil, rotten stone, razor-strops, razors, shaving-soap, soap, suspenders, scissors, shoe-strings, needles, thread, knives, pencils, and Bristol-brick." The amendment was agreed to. Mr. Lane's motion to amend, by striking out all after the enacting clause, and inserting a provision abolishing sutlerships altogether, was lost. The bill was then passed without a division. In the House, on the fifth of March, Mr. Blair, from the Military Committee, reported back the Senate bill to provide for the appointment of sutlers. On the tenth, the House resumed its consideration. The Military Committee reported an amendment, striking out the enumerated list of articles in the first section, and the amendment was agreed to. The next amendment proposed to strike out the third section, providing for the appointment of sutlers by the officers of regiments, and have them appointed as provided by law. The amendment was lost. The Committee reported an amendment to the fourth section, giving the sutler a lien on one sixth of the officers' and soldiers' pay. Mr. Thomas, of Massachusetts, proposed to amend the section so as to declare that the sutler should have no legal claim

upon any officer, non-commissioned officer, or private, to an amount exceeding one fourth of his pay, for articles sold during any month. The amendment was agreed to. On motion of Mr. White, of Indiana, the vote striking out the list of articles in the first section was reconsidered, and the amendment rejected. Mr. Wright, of Pennsylvania, proposed to modify the Committee's amendment to the fourth section, so that sutlers might have a lien on the soldiers' pay, provided that they shall be allowed to sell only the articles designated in the list or schedule provided in the act, and none others, and at prices not exceeding those affixed to said articles, as herein provided, and the section was so amended. The seventh section was so amended as to provide that any sutler who should violate any of the provisions of this act should, by the colonel, with consent of the council of administration, be dismissed from the service. Mr. Aldrich, of Minnesota, proposed a new section, providing that any regiment should have the power to dispense with a sutler, whenever a majority of the regiment should so determine; but the amendment was lost. Mr. Blake, of Ohio, moved to substitute for the bill an amendment, providing that the office of sutler in the volunteer service of the army of the United States should be abolished: *Provided*, That the act take effect, and be in force from and after the first day of the coming May. The amendment was rejected, and the bill as amended passed without a division. In the Senate, on the eleventh, on motion of Mr. Wilson, the Senate disagreed to the House amendments to the sutler's bill, asked a committee of conference, and the chair appointed Mr. Wilson, Mr. Howard, and Mr. Wright conferees. The House, on motion of Mr. Blair, agreed to a conference, and the Speaker appointed Mr. Blair, of Missouri, Mr. McPherson, of Pennsylvania, and Mr. Richardson, of Illinois, conferees on the part of the House. On the fourteenth of March, Mr. Wilson, from the committee of conference, reported that the Senate recede from its disagreement to the first, fourth, fifth, sixth, and seventh amendments of the House; that the Senate recede from its disagreement to the second amendment of the House, which gave a lien of one sixth on the monthly pay of officers and privates, with a proviso, that if any paymaster in the service of the United States should allow, or pay any greater sum to any sutler than that thereby authorized to be retained from the pay of the officers, non-commissioned officers, musicians, or privates, for articles sold by any sutler during any one month, then the amount so allowed or paid by the paymaster should be charged against the said paymaster, and deducted from his pay, and returned to the officer, non-commissioned officer, musician, or private, against whom the amount was originally charged. And any captain or lieutenant commanding a company, who might certify any pay-roll, bearing a charge in favor of the sutler against any officer, non-commissioned officer, musician, or private, larger or greater than one

sixth of the monthly pay of such officer, non-commissioned officer, musician, or private, should be punished at the discretion of a court-martial; that the Senate recede from its disagreement to the eighth amendment of the House with an amendment providing that the sutler dismissed for violation of the laws should, in addition, be ineligible to a reappointment as sutler in the service of the United States. The report was concurred in. The House, on the seventeenth, adopted the report of the conference committee made by Mr. Blair, and the President approved the bill on the nineteenth of March, 1862.

No. XXIV.—*Joint Resolution authorizing the Secretary of War to accept Moneys appropriated by any State for the Payment of its Volunteers.*

In the Senate, on the eleventh of March, 1862, Mr. Wilson, from the Military Committee, reported a joint resolution to authorize the Secretary of War to accept moneys appropriated by any State for the payment of its volunteers, and to apply the same as directed by such State.

It authorized the Secretary of War, if any State during the present rebellion should make any appropriation to pay the volunteers of that State, to accept the same, and cause it to be applied by the Paymaster-General to the payments designed by the legislative act making the appropriation, in the same manner as if appropriated by act of Congress; and also to make any regulations that might be necessary for the disbursement and proper application of such funds to the specific purpose for which they might be appropriated by the several States. On the twelfth, it was considered and passed.

The House, on the thirteenth, on motion of Mr. Blair, referred it to the Military Committee, and on the nineteenth Mr. Olin, of New-York, reported it back without amendment. After debate, in which Mr. Olin, Mr. Stevens, and Mr. Edwards took part, the joint resolution was passed. It was approved by the President on the nineteenth of March, 1862.

No. XXV.—*The Joint Resolution authorizing the President to assign the Command of Troops in the same Field or Department to Officers of the same Grade, without regard to Seniority.*

In the Senate, on the fourteenth of March, 1862, Mr. Wilson, of Massachusetts, from the Committee on Military Affairs, reported a joint resolution to authorize the President to assign the command of troops in the same field or department, to officers of the same grade, without regard to seniority. It provided that whenever military operations might require the presence of two or more officers of the same grade in the same field or department, the President might assign the command without regard to seniority of rank; and also that he might dismiss from the service, at his discretion, without the sentence of a court-martial, any officer of the army, when, in his judgment, the efficiency of the service would be promoted.

Mr. Sherman thought it a very great power to authorize the President, at his discretion, to dismiss an officer. Mr. McDougall desired that the resolution should lie over for consideration. On motion of Mr. Wilson, the Senate, on the seventeenth, resumed the consideration of the resolution. After remarks by Mr. Hale and Mr. Nesmith, it was recommitted to the Military Committee. On the eighteenth, Mr. Wilson, from the Committee, reported it back with an amendment to strike out the words authorizing the President to dismiss from the service, at his discretion, without the sentence of a court-martial, any officer of the army, when in his judgment the efficiency of the service would be promoted thereby; the amendment was agreed to. The joint resolution providing that, whenever military operations might require the presence of two or more officers of the same grade in the same field or department, the President might assign the command of the forces in such field or department without regard to seniority of rank, was passed without opposition. In the House, on the second of April, on motion of Mr. Fenton, of New-York, the resolution was referred to the Military Committee. Mr. Olin moved to reconsider the vote of reference, and it was agreed to—yeas, sixty-seven; nays, twenty-five. Mr. Stevens moved that the resolution lie on the table—yeas, forty-four; nays, sixty-one. Mr. Vallandigham demanded the yeas and nays on its passage, and they were ordered—yeas, eighty-one; nays, forty. So the resolution was passed, and approved by the President on the fourth of April, 1862.

No. XXVI.—*Bill to increase the Efficiency of the Medical Department of the Army.*

In the Senate, on the seventh of February, 1862, Mr. Wilson introduced a bill to increase the efficiency of the medical department of the army, which was read twice and referred to the Committee on Military Affairs. On the twenty-second, Mr. Wilson reported it back with an amendment. The Senate, on the twenty-seventh, proceeded to consider it, the pending question being on the amendment reported by the Military Committee. The amendment proposed to strike out all after the enacting clause, and insert an amendment of seven sections, in the nature of a substitute. It provided that there should be added to the present medical corps of the army ten surgeons and ten assistant-surgeons, to be promoted and appointed under existing laws; twenty medical cadets, and as many hospital stewards as the Surgeon-General might consider necessary for the public service. That the Surgeon-General should have the rank, pay, and emoluments of a brigadier-general. There should be one assistant surgeon-general and one medical inspector-general of hospitals, each with the rank, pay, and emoluments of a colonel of cavalry; and the medical inspector-general should have, under the direction of the Surgeon-General, the supervision of all that relates to the sanitary condition of the army, whether in transports, quarters, or camps, and of the hygiene, police, discipline, and

efficiency of field and general hospitals, under such regulations as might thereafter be established. That there should be eight medical inspectors, with the rank, pay, and emoluments each of a lieutenant-colonel of cavalry, and who should be charged with the duty of inspecting the sanitary condition of transports, quarters, and camps, of field and general hospitals, and who should report to the medical inspector-general, under such regulations as might be thereafter established, all circumstances relating to the sanitary condition and wants of troops and of hospitals, and to the skill, efficiency, and good conduct of the officers and attendants connected with the medical department. That the Surgeon-General, the assistant surgeon-general, medical inspector-general, and medical inspectors, should be appointed by the President, by and with the advice and consent of the Senate, by selection from the surgeons of the army, without regard to their rank when so selected. That medical purveyors should be charged, under the direction of the Surgeon-General, with the selection and purchase of all medical supplies, including new standard preparations, and of all books, instruments, hospital stores, furniture, and other articles required for the sick and wounded of the army. In all cases of emergency they might provide such additional accommodations for the sick and wounded of the army, and might transport such medical supplies as circumstances might render necessary, under such regulations as might be thereafter established, and should make prompt and immediate issues upon all special requisitions made upon them under such circumstances by medical officers; and the special requisitions should consist simply of a list of the articles required, the quantities required, dated, and signed by the medical officer requiring them. That whenever the inspector-general, or any one of the medical inspectors, should report an officer of the medical corps as disqualified, by age or otherwise, for promotion to a higher grade, or unfitted for the performance of his professional duties, he should be reported by the Surgeon-General for examination to a medical board, as provided by the seventeenth section of the act approved August third, 1861.

Mr. Wilson moved to amend the fourth section by striking out the word "surgeons" and inserting the words "medical corps," so that it would provide that the Surgeon-General, the assistant surgeon-general, medical inspector-general, and medical inspectors should be appointed from the medical corps of the army, instead of the surgeons. After debate, in which Mr. Foster, Mr. Rice, Mr. Grimes, Mr. Wilson, and Mr. Sherman participated, the amendment to the amendment was agreed to. Mr. Grimes then moved to amend the same section by adding after the words inserted on motion of Mr. Wilson, the words "or of the volunteer medical corps in the service of the United States," so that the officers might be selected from the medical corps of the army or of the volunteers. After debate, the amendment of Mr. Grimes to the amendment of

the Military Committee was agreed to. Mr. Hale moved to amend by striking out the words "by selection from the medical corps of the army, or from the volunteer medical corps in the service of the United States, without regard to their rank when so selected;" so that the President could select in or out of the military service; but the amendment was rejected. Mr. Latham, of California, moved that volunteer surgeons should be examined for their appointments; but the amendment was not agreed to.

On motion of Mr. Sherman, the amendment of the Military Committee was amended by striking out the words, "that the Surgeon-General shall have the rank, pay, and emoluments of a brigadier-general." The amendment of the Military Committee that the assistant surgeon-general, and the medical inspector-general of hospitals should have the rank, pay, and emoluments of colonels of cavalry, and on motion of Mr. Sherman, the words "colonels of cavalry" were stricken out, and "surgeons of ten years' service" inserted. On motion of Mr. Sherman, the amendment was further amended, so that the medical inspectors should have the rank, pay, and emoluments of "assistant surgeons of ten years' service," instead of "lieutenant-colonels of cavalry." On motion of Mr. Grimes, it was amended so that the provisions of the bill should continue only during the rebellion, and the amendment of the Military Committee, as amended, was agreed to, and the bill as amended, passed without a division.

The House, on the eleventh, referred the bill to the Military Committee, and on the twelfth it was reported back by Mr. Blair, with an amendment, in the nature of a substitute; the substitute being the original bill reported by the Senate Military Committee. On the eighteenth, the House proceeded to consider the bill, the pending question being on the substitute reported by the Military Committee. Mr. Blair, of Missouri, Mr. McPherson, of Pennsylvania, Mr. Sherman, of New-York, Mr. Blake, of Ohio, and Mr. Kellogg, of Illinois, discussed its provisions. Mr. Sherman, of New-York, moved to amend the substitute by adding, at the end of the first section, "that their pay, and that of all hospital stewards in the volunteer as well as in the regular service, shall be forty-five dollars per month and one ration, to be computed from the passage of this act." On the ninth of April, the House resumed the consideration of the bill. After debate, Mr. Sherman's amendment was agreed to. Mr. McPherson, of Pennsylvania, then moved to amend the proposed substitute by striking out the words "the Surgeon-General to be appointed under this act shall have the rank, pay, and emoluments of a brigadier-general;" but after debate it was rejected. Mr. Wallace, of Pennsylvania, moved to amend by striking out the word "regular," so that the appointments could be made from the volunteer or regular forces. The amendment was agreed to, the substitute reported by the Military Committee, as amended, was adopted, and the bill passed.

The Senate, on the tenth, proceeded to consider the amendment of the House, and, on motion of Mr. Wilson, the Senate disagreed to it, asked a committee of conference, and Mr. Wilson, Mr. Lane, of Indiana, and Mr. Nesmith, were appointed managers. The House insisted on its amendments, agreed to the committee of conference, and the Speaker appointed Mr. Blair, of Missouri, Mr. McPherson, of Pennsylvania, and Mr. Steele, of New-York, managers on the part of the House.

On the fourteenth, Mr. Wilson, from the committee of conference, reported that "the Senate concur in the amendment of the House to the bill, with the following amendments: in section one, line seven, after the word 'service,' strike out the words 'shall be forty-five dollars per month and one ration,' and insert in lieu thereof of the words 'shall be thirty dollars per month,' and at the end of said section add as follows: 'and all medical cadets in the service shall, in addition to their pay, receive one ration per day, either in kind or commutation.' In section seven of said amendment of the House, strike out the whole section, and in lieu thereof insert the seventh section of the original bill of the Senate, with the following amendment thereto: at the end of the said seventh section of the Senate bill add as follows: '*Provided, however,* That when this act shall expire, all officers who shall have been promoted from the medical staff of the army under this act shall retain their respective rank in the army with such promotion as they would have been entitled to.'" The Senate concurred in the report. On the fifteenth, Mr. Blair reported to the House, and the report was agreed to. So the bill passed, and was approved by the President on the sixteenth of April, 1862.

*No. XXVII.—The Bill to facilitate the Discharge of Enlisted Men for Physical Disability.*

In the Senate, on the twenty-ninth of April, 1862, Mr. Wilson, of Massachusetts, introduced a bill to facilitate the discharge of enlisted men for physical disability, which was read twice and referred to the Military Committee. On the second of May, Mr. Wilson, from the Committee, reported it back without amendment.

It empowered the medical inspector general, or any medical inspector, to discharge from the service of the United States any soldier or enlisted man laboring under any physical disability which made it disadvantageous to the service that he be retained therein; and the certificate in writing of the inspector general or medical inspector, setting forth the existence and nature of such physical disability, was to be sufficient evidence of the discharge; but it was provided that every such certificate should appear on its face to have been founded on personal inspection of the soldier discharged, and should specifically describe the nature and origin of his disability; and that the discharge should be without prejudice to the right of the soldier to the pay due him at its date.

On the ninth, the Senate resumed the consid-

eration of the bill; it was amended on motion of Mr. Wilson, so as to apply only to soldiers in permanent hospitals, and passed without a division. In the House, on the twelfth, the bill was taken up on motion of Mr. Fenton, of New-York. On motion of Mr. Richardson, of Illinois, it was so amended as to require the consent of the enlisted man to his discharge by the medical inspectors. It was then passed without a division. The Senate, on the same day, concurred in the House amendment, and it was approved by the President on the fourteenth of May, 1862.

*No. XXVIII.—Bill to authorize the Appointment of Medical Storekeepers.*

In the Senate, on the seventh of May, 1862, Mr. Wilson reported from the Military Committee a bill to authorize the appointment of medical storekeepers. It authorized the Secretary of War to add to the medical department of the army, medical storekeepers, not exceeding six in number, who were to have the pay and emoluments of military storekeepers in the quartermaster's department, who were to be skilled apothecaries or druggists, who were to give the bond and security required by existing laws for military storekeepers in the quartermaster's department, and to be stationed at such points as the necessities of the army might require. The provisions of the bill were to remain in force only during the continuance of the rebellion. On the eighth, the Senate proceeded to its consideration, and amended it on motion of Mr. Wilson, by adding a section, providing that the President was authorized to appoint, if he should deem it necessary, a chaplain for each permanent hospital, whose pay, with that of chaplains of hospitals heretofore appointed by him, should be the same as that of regimental chaplains in the volunteer force, and who should be subject to such rules in relation to leave of absence from duty as were prescribed for commissioned officers of the army. It was then passed. In the House, on the fifteenth, Mr. Blair reported back the bill from the Military Committee, demanded the previous question, and under its operation it was passed. It was approved by the President on the twentieth of May, 1862.

*No. XXIX.—A Bill providing that Company Officers of Volunteers should be paid on the Pay-Roll of their Regiment or Company, except when on Detached Service.*

In the House, on the twenty-second of June, 1862, Mr. Kellogg, of Michigan, introduced a bill providing that officers of volunteers should be paid on the pay-rolls of the regiments or companies to which they belonged, which was read twice, and referred to the Committee on Military Affairs. On the thirteenth, Mr. Dunn, of Indiana, reported it back without amendment. It provided that company officers of volunteers should be paid on the muster and pay-rolls of their company, party, or detachment, and not otherwise, except when such officer should be on detailed service without troops, or on leave of ab-

sence. The bill was passed without a division. The Senate, on the fourteenth, on motion of Mr. Wilson, took it up, considered, and passed it, and it was approved by the President on the eighteenth of June, 1862.

No. XXX.—*Bill to limit the Number of Major-Generals and Brigadier-Generals to be appointed.*

In the Senate, on the second of May, 1862. Mr. Grimes introduced a bill to limit the appointment of major-generals and brigadier-generals in the army and volunteers, which was read twice, and referred to the Committee on Military Affairs. On the fifth, Mr. Wilson reported it back with an amendment. It provided for the appointment of twenty major-generals, and two hundred brigadier-generals. The amendment proposed to make the number of major-generals "thirty" instead of "twenty." The amendment was agreed to, Mr. Hale moved to strike out "two hundred," and insert "one hundred and eighty." The Senate, on the seventh, on motion of Mr. Wilson, resumed the consideration of the bill, the pending question being on Mr. Hale's amendment, and it was further debated by Mr. Wilson, Mr. Hale, Mr. Harris, Mr. Lane, of Kansas, Mr. Ten Eyck, Mr. Chandler, and Mr. Grimes. The Senate resumed its consideration on the eighth, and the vote was taken on Mr. Hale's amendment, and it was lost—yeas, sixteen; nays, nineteen. The bill was then passed as amended. The House referred it to the Military Committee, and Mr. Olin, on the tenth of June, reported it back with a recommendation that it should not pass, and it was laid on the table.

No. XXXI.—*The Bill to provide Additional Medical Officers of the Volunteer Service.*

In the Senate, on the ninth of June, 1862, Mr. Wilson, of Massachusetts, introduced a bill to provide for additional medical officers, which was read twice, and referred to the Military Committee. On the tenth, the bill was reported back by Mr. Wilson without amendment. It authorized the President, by and with the advice and consent of the Senate, to appoint forty surgeons, and one hundred and twenty assistant-surgeons of volunteers, who were to have the rank, pay, and emoluments of officers of corresponding grades in the regular army, but no person was to be appointed to any of those positions unless he should have been previously examined by a board of medical officers to be appointed by the Secretary of War, and vacancies in the grade of surgeon were to be filled by selection from the grade of assistant-surgeon, on the ground of merit only. The act was to continue in force only during the existence of the rebellion. The Senate, on the eleventh, proceeded to the consideration of the bill, and after debate, in which Mr. Wilson, Mr. Grimes, Mr. Clark, Mr. Foster, Mr. Browning, and other Senators participated, it was passed without opposition. In the House, on the thirteenth, the bill was taken from the

Speaker's table, and Mr. Blair moved to amend it, by adding two additional sections, providing that the office of brigade surgeon should be abolished, and the officers of that corps be hereafter designated surgeons of volunteers, and in all other respects be put upon the same footing as to rank, pay, and emoluments with the surgeons provided for in the act. That there should be added to each volunteer regiment in the service, an assistant-surgeon, to be appointed according to the existing laws of the several States, providing for the appointment of regimental surgeons. The amendment was agreed to. On motion of Mr. Trimble, of Ohio, the bill was so amended as to provide that the surgeons appointed under this act, should be under forty years of age. The bill was then passed as amended, without a division. On the seventeenth, the Senate concurred in the House amendments, with an amendment striking out the proviso that the surgeon appointed under the act should be under forty years of age. The House concurred in the Senate amendment to the House amendment. On the second of July, the President returned the bill without his approval, for the reason that he had signed an act with the same title intended to supersede it, and on the question, shall the bill pass, the Senate unanimously voted in the negative. In the Senate, on the twenty-fifth of June, Mr. Wilson introduced a bill to provide for additional medical officers of the volunteer service. The object, Mr. Wilson said, was to correct an error in the other bill then in the hands of the President. It was considered by unanimous consent, and passed. On the twenty-sixth of June, the House took from the Speaker's table the bill on motion of Mr. Olin, and, after explanations, it passed unanimously, and was approved by the President, on the second of July, 1862.

No. XXXII.—*The Joint Resolution to encourage Enlistments in the Regular and Volunteer Forces.*

In the Senate, on the fourth of June, Mr. Wilson introduced a joint resolution to encourage enlistments in the regular army and volunteer forces. It proposed that so much of the ninth section of "an act for the better organization of the military establishment" as abolished the premium paid for bringing accepted recruits to the rendezvous, should be repealed, and a premium of two dollars be paid to any citizen, non-commissioned officer, or soldier, for an accepted recruit for the regular army; and that every soldier who enlisted, either in the regular army or the volunteers, for three years, or during the war, might receive his first month's pay in advance, upon the mustering of his company into the service, or after he should have been mustered into and joined a regiment already in the service. It was considered and passed.

In the House, on the seventeenth, the joint resolution, on motion of Mr. Dunn, of Indiana, was taken up, read twice, and referred to the Military Committee. On the eighteenth, it was reported back by Mr. Olin, of New-York, and,

after debate, passed, and was approved by the President, on the twenty-first of June, 1862.

No. XXXIII.—*Bill making Appropriations for the Support of the Army.*

The House, on the fourteenth of May, 1862, passed the bill making appropriations for the support of the army, for the year ending the thirtieth of June, 1863.

In the Senate, on the twenty-first of June, Mr. Fessenden, from the Finance Committee, to which it had been referred, reported it back with amendments. The Senate proceeded, on the first of July, to consider the bill and amendments. The House appropriated for the pay of volunteers, under the acts of the twenty-second and twenty-fifth of July, 1861, the sum of two hundred and twenty-six million two hundred and eighty-three thousand two hundred and eighty-two dollars. The Committee on Finance proposed to amend it by striking out that amount, and inserting in lieu of it, “one hundred and fifty million dollars: *Provided*, That the President shall not be authorized to increase the force of volunteers beyond the number of seven hundred and fifty thousand men, rank and file; nor to appoint more than —— major-generals, nor more than —— brigadier-generals. And all acts and parts of acts authorizing a larger force, or a greater number of major and brigadier-generals than are above provided for, are hereby repealed.” Mr. King stated that he was authorized by the Military Committee to oppose the adoption of the amendment. Mr. Hale moved to amend the amendment so that it would read: “That the President shall not be authorized to appoint more than forty major-generals, nor more than two hundred brigadier-generals, and all acts and parts of acts authorizing a greater number of major and brigadier-generals than are above provided for, are hereby repealed.” After debate, in which Mr. Hale, Mr. King, Mr. Fessenden, Mr. Grimes, Mr. Dixon, Mr. Trumbull, and Mr. Foster participated, the amendment was agreed to.

The bill was further amended, on motion of Mr. King, in obedience to the instructions of the Military Committee, by adopting new sections, providing “that there should be added to the clerical force of the Surgeon-General’s office one clerk of class one, and one clerk of class two; and there should be added to the clerical force of the Paymaster-General’s office three clerks of class four, six clerks of class three, eleven clerks of class two, and twenty clerks of class one; and that there should be added to the clerical and other force of the Adjutant-General’s office two clerks of class four, two clerks of class three, six clerks of class one, and ten other clerks at a monthly compensation of sixty dollars each; and the Adjutant-General might detail ten more non-commissioned officers of the army as clerks in his office. That section five of the ‘Act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property,’ approved July twenty-second, 1861; and section five of the ‘Act to increase the present

military establishment of the United States,’ approved July twenty-ninth, 1861, should be so construed as to allow twenty-five dollars of the bounty of one hundred dollars therein provided, to be paid immediately after enlistment to every soldier of the regular army and volunteer forces thereafter enlisted during the continuance of the war; and the sum of seven million five hundred thousand dollars is hereby appropriated for such payments. That the President of the United States be authorized, by and with the consent and advice of the Senate, to appoint as many military storekeepers in the quartermaster’s department of the army as the exigencies of the service might require: *Provided*, The whole number of military storekeepers in that department should not exceed twelve. That so much of the seventh section of the ‘Act to found a military asylum for the relief and support of invalid and disabled soldiers of the army of the United States,’ as required that ‘all moneys, not exceeding two thirds of the balance on hand of the hospital fund, and of the post fund of each military station, after deducting the necessary expenses,’ should be set apart to support the Military Asylum, be repealed.” And that two million dollars be appropriated for providing for the comfort of discharged soldiers, who might arrive in the principal cities of the United States, disabled by disease or wounds, and unable to proceed to their homes, and for forwarding destitute soldiers to their homes. The House concurred in the amendments, and the bill passed, and was approved by the President, on the fifth of July, 1862.

No. XXXIV.—*The Joint Resolution providing for the Presentation of “Medals of Honor,” to the Enlisted Men of the Army and Volunteer Forces, who have or who may distinguish themselves in Battle during the present Rebellion.*

In the Senate, on the thirteenth of May, 1862, Mr. Wilson reported from the Military Committee a joint resolution to provide for the presentation of “medals of honor” to enlisted men distinguished in battle. It provided that the President of the United States should be authorized to cause two thousand “medals of honor” to be prepared, with suitable emblematic devices, and to direct that the same be presented, in the name of Congress, to such non-commissioned officers and privates as should most distinguish themselves by their gallantry in action, and other soldier-like qualities during the present insurrection; and that the sum of ten thousand dollars be appropriated for the purpose of carrying the resolution into effect. On the nineteenth, the resolution, on motion of Mr. Wilson, was taken up, ordered to be engrossed, and passed without division. In the House, on the tenth of July, Mr. Olin, from the Military Committee, reported back the joint resolution for the presentation of “medals of honor,” and it was passed without division, and approved by the President, on the twelfth of July, 1862.

No. XXXV.—*The Bill prohibiting the Confinement of Persons in the Military Service of the United States in the Penitentiary of the District of Columbia.*

In the House of Representatives, on the thirteenth of June, 1862, Mr. Bingham, of Ohio, from the Committee on the Judiciary, reported a bill to prohibit the confinement of persons in the military service in the Penitentiary of the District of Columbia, except as a punishment of certain crimes, and to discharge from the prison certain convicts by sentence of court-martial, which was recommitted to the Committee, with leave to report at any time. On the fifth of July, Mr. Bingham reported it back with amendments, and the House proceeded to its consideration. The bill provided that soldiers should not be confined in the Penitentiary of the District of Columbia, unless their offence, by common law, or a statute of the United States, subject them to such punishment; or except for mutiny, desertion, or an attempt to incite mutiny. Mr. Dawes moved to amend by adding that "no person thereafter, upon the decision of a court-martial, should be confined in any penitentiary in the United States, except under the conditions of the act." The amendment was agreed to, and the bill passed as amended.

In the Senate, on the eighth of July, Mr. Wilson, from the Military Committee, reported back the bill with amendments. The amendments proposed to strike out the words, "or such person be convicted of mutiny, or desertion, or an attempt to incite mutiny." Mr. Grimes opposed the amendment; Mr. Wilson, Mr. Harris, and Mr. Rice supported it; and it was agreed to, and the bill, as amended, passed on the twelfth. On the same day, the House, on motion of Mr. Wilson, of Iowa, took the bill from the Speaker's table, and, after debate, it was referred to the Judiciary Committee, with leave to report at any time. The House disagreed to the Senate amendments, and asked a committee of conference, and appointed Mr. Wilson, of Iowa, Mr. Dawes, of Massachusetts, and Mr. Phelps, of Missouri, managers. In the Senate, on the fourteenth, Mr. Wilson moved that the Senate insist on its amendments, and concur in the conference asked for by the House. The motion prevailed, and Mr. Wilson, Mr. Lane, of Indiana, and Mr. Wilkinson, were appointed managers. On the fifteenth Mr. Wilson, from the conference committee, reported, "that the House recede from its disagreement to the amendment of the Senate to the bill, and agree to the same;" and the report was accepted. In the House, on the sixteenth, Mr. Wilson, of Iowa, made a report from the conference committee, and it was agreed to, and the bill was approved by the President, on the sixteenth day of July, 1862.

No. XXXVI.—*The Joint Resolution to authorize the Secretary of War to furnish extra Clothing to Sick and Wounded Soldiers.*

In the House, on the fifth of July, 1862, Mr.

Hale, of Pennsylvania, by unanimous consent, introduced a bill authorizing the Secretary of War to furnish extra clothing for sick and wounded soldiers. It proposed to "authorize the Secretary of War to furnish extra clothing to all sick, wounded, and other soldiers who might have lost the same by the casualties of war, under such rules and regulations as the department might prescribe, during the existence of the insurrection." It was read three times and passed. The Senate referred it to the Committee on Military Affairs, and on the tenth, Mr. Wilson reported it back without amendment. By unanimous consent, it was read three times and passed. It was approved by the President on the twelfth of July, 1862.

No. XXXVII.—*The Bill to amend the Act calling forth the Militia to execute the Laws, suppress Insurrection, and repel Invasions.*

In the Senate, on the eighth of July, 1862, Mr. Wilson, of Massachusetts, from the Committee on Military Affairs, reported a bill to amend the act calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasions, approved February twenty-eighth, 1795, which was read a first time, and passed to a second reading. On the ninth, the Senate resumed the consideration of the bill to amend the acts calling forth the militia to execute the laws. It provided that whenever the President should call forth the militia to be employed in the service of the United States, he might specify in his call the period for which such service would be required, and the militia so called should be mustered in, and continue to serve, for the term specified, unless sooner discharged; and the organization of the militia, when so called into service, was to be conformed to the organization prescribed by the laws for volunteers. Mr. Grimes, of Iowa, moved to amend the bill by adding three sections providing that there should be no exemption from the performance of military duty under any militia law of the United States on account of color or lineage; but whenever the militia should be called into service, all loyal, able-bodied male persons, between the ages now fixed by the laws of the United States, should be called to the defence of the country. That when the militia should be called into the service of the United States, under any law of the United States, the President should have full power and authority to organize them into battalions, regiments, brigades, and divisions, according to their race or color, as he should believe that the public interest might require; and that the provisions of the two preceding sections should be construed so as to apply to and include volunteers who might thereafter be called into the service of the United States, and all persons who had been, or might thereafter be, enrolled in the service as volunteers, or as militia, should receive the pay and rations of soldiers as allowed by law according to their respective grades. Mr. Saulsbury, of Delaware, and Mr. Carlisle, of Virginia, op-

posed the amendment. Mr. King, of New-York, suggested a modification of the amendment so that the first two sections would read: "That the President be authorized to receive into the service of the United States, for the purpose of constructing intrenchments, or performing camp-service, or any other labor, or any war-service for which they may be found competent, persons of African descent; and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe, and they shall be fed, and paid such compensation for their services as they may agree to receive when enrolled; and that when any man or boy of African descent shall render any such service as is provided for in the first section of this act, he, his mother, and his wife and children shall for ever thereafter be free, any law, usage, or custom whatsoever to the contrary notwithstanding." Mr. Grimes accepted the amendment in lieu of the first sections of his amendment. Mr. Saulsbury denounced the measure as "the most magnificent scheme of emancipation yet proposed." Mr. Sherman, of Ohio, had no doubt of the constitutional power of Congress to enroll black and white, free and slave for the defence of the country; but it would affect alike the loyal and disloyal; would therefore be unjust, and should be modified. Mr. Fessenden, of Maine, said: "I would do nothing that a civilized people ought not to do; I would employ no barbarians; I would not bring back the days of the tomahawk and scalping-knife; but any thing within the rules of civilized warfare that it is in my power to do, I would do, and it ought to be done." Mr. Rice, of Minnesota, thought the nation must speedily acknowledge the independence of the Confederacy, "or use all the means given us by the Almighty to prosecute the war to a successful termination." Mr. Wilson confessed that he looked "with something of admiration upon the mode in which the Southern traitorous leaders have carried on this war. They commenced the war by taking humanity by the throat, by putting under their feet every moral sentiment, every law of Almighty God. They planted themselves in defiance of God and of man upon the foundation of eternal slavery. Standing before the nations in that position, in defiance of all that is sacred, pure, and holy on earth, they have appealed to their people, to their passions, to their prejudices, to their hate; they have organized their people; they have issued their conscriptions, using every man who could do any thing, no matter how halt or maimed he might be, if he could strike a blow; they have carried on their military operations with great ability, and shown vast powers and great administrative ability, and great military ability. We are in one of the darkest periods of this contest, and we had better look our position in the face, meet the responsibilities of the hour, rise to the demands of the occasion, pour out our money, summon our men to the field, go ourselves, if we can do any good, and overthrow this confederate power that feels

to-day, over its recent magnificent triumphs, that it has already achieved its independence. Bold and decisive action alone, in the cabinet and in the field, can retrieve our adverse fortunes, and carry our country triumphantly through the perils that threaten to dismember the republic." Mr. Davis, of Kentucky, opposed the calling out of negroes for military purposes. Mr. Wilkinson and Mr. Rice supported that policy.

On the tenth, the Senate resumed the consideration of the bill. Mr. Collamer, of Vermont, had no doubt of the power to use colored men for the defence of the country: it was simply a question of expediency. Mr. Ten Eyck proposed so to amend the amendment as to strike out the words "any military or naval," before "service." He thought it would not affect the section, but would relieve it of its asperity. Mr. King opposed the amendment of Mr. Ten Eyck. The Chair ruled that Mr. Ten Eyck's amendment was not in order. Mr. Davis moved to amend by striking out the words, "or any military or naval service for which they may be found competent." After remarks by Mr. Doolittle, of Wisconsin, and Mr. Hale, of New-Hampshire, the vote was taken, and the amendment of Mr. Davis lost—yeas, eleven; nays, twenty-seven. Mr. Saulsbury moved to postpone indefinitely the consideration of the bill, but the motion was lost—yeas, nine; nays, twenty-seven. Mr. Henderson, of Missouri, moved so to amend the bill as to provide only for the freedom of persons of African descent as owe service to persons engaged in the rebellion—yeas, thirteen; nays, twenty-two. Mr. Henderson then moved to so amend the amendment as to provide that loyal persons should be compensated for the loss of the services of the slaves employed under the provisions of the act—yeas, twenty; nays, seventeen. The amendment of Mr. Grimes, as amended, was then agreed to. The question recurring on the second section of Mr. Grimes's amendment, providing that when any man or boy should render service, he, his mother, wife and children should be free, Mr. Sherman moved to amend it so as to apply only to persons owing service to any person who has borne arms against the United States, or adhered to their enemies by giving them aid and comfort—yeas, twenty-two; nays, sixteen. Mr. Browning, of Illinois, moved to amend the amendment by striking out of the persons to be made free, "his mother, wife, and children." Mr. Lane, of Kansas, and Mr. King opposed the amendment of Mr. Browning, and on the eleventh it was rejected—yeas, seventeen; nays, twenty-one. Mr. Browning then moved to amend by adding as a proviso: "That the mother, wife, and children of such man or boy of African descent shall not be made free by the operation of this act, except where such mother, wife, and children owe service or labor to some person who, during the present rebellion, had borne arms against the United States, or adhered to their enemies by giving them aid and comfort." Mr. Cowan, of Pennsylvania, and Mr. Davis supported the amendment, and Mr. Howe, of Wisconsin, Mr. Harlan,

of Iowa, and Mr. Wilkinson, of Minnesota, opposed it.

On the twelfth, Mr. Wilson, from the Committee on Military Affairs, reported a bill to amend the "Act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," approved February twenty-eighth, 1795, and the acts amendatory thereof, and for other purposes; which was read twice, and ordered to be printed. The bill contained fifteen sections, and provided that whenever the President should call forth the militia, he might specify in his call the period for which such service would be required, not exceeding nine months; and if, by reason of defects in existing laws or in the execution of them in the several States, or any of them, it should be found necessary to provide for enrolling the militia, and otherwise putting the act into execution, the President was authorized to make all necessary rules and regulations; and the enrolment should include all able-bodied male citizens between the ages of eighteen and forty-five, and be apportioned among the States according to representative population. That the militia, when so called into service, should be organized in the mode prescribed by law for volunteers. That the President be authorized to accept the services of any number of volunteers, not exceeding one hundred thousand, as infantry, for a period of nine months, and every soldier who should enlist under the provisions of the section should receive his first month's pay, and also twenty-five dollars as bounty. That for the purpose of filling up the regiments of infantry then in the service, the President be authorized to accept the services of volunteers for twelve months, and such volunteers should be in all respects upon a footing with similar troops in the United States service, except as to service bounty, which should be fifty dollars, one half to be paid upon their joining their regiments, and the other half at the expiration of their enlistment. That the President should appoint a judge-advocate general, with the rank, pay, and emoluments of a colonel of cavalry, to whose office should be returned, for revision, the records and proceedings of all courts-martial and military commissions, and where a record should be kept of all proceedings had thereupon—and no sentence of death, or imprisonment in the penitentiary, should be carried into execution until the same should be approved by the President. That there might be appointed by the President for each army in the field a judge-advocate, with the rank, pay, and emoluments, each, of a major of cavalry. That thereafter all offenders in the army adjudged to be punished by a court-martial should be brought before a field-officer of his regiment, who should hear and determine the offence, and order the punishment to be inflicted. That all officers who had been mustered into the service of the United States as battalion adjutants and quartermasters of cavalry under the orders of the War Department, exceeding the number authorized by law, should be paid as such for the time they were actually employed

in the service of the United States, and that all such officers then in service exceeding the number, should be immediately mustered out of the service. That the President be authorized to establish and organize army corps. That each army corps should have the following officers attached, who should constitute the staff of the commander—one assistant adjutant-general, one quartermaster, one commissary of subsistence, and one assistant inspector-general, who should bear respectively, the rank of lieutenant-colonel, and who should be assigned from the army or volunteer force by the President; and also three aides-de-camp, one to bear the rank of major, and two to bear the rank of captain; and the senior officer of artillery in each army should, in addition to his other duties, act as chief of artillery and ordnance at the headquarters of the corps. That the cavalry forces should be thus organized—each regiment of cavalry should have one colonel, one lieutenant-colonel, three majors, one surgeon, one assistant surgeon, one regimental commissary, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, two hospital stewards, one saddler-sergeant, one chief trumpeter, and one chief farrier or blacksmith; and each regiment should consist of twelve companies, and each company should have one captain, one first lieutenant, one second lieutenant, and one supernumerary second lieutenant, one first sergeant, one quartermaster sergeant, one commissary sergeant, five sergeants, eight corporals, two teamsters, two farriers or blacksmiths, one saddler, one wagoner, and seventy-eight privates; the regimental adjutants, the regimental quartermasters, and regimental commissaries to be taken from their respective regiments. That the President be authorized to receive into the service of the United States, for the purpose of constructing intrenchments, or performing camp service, or any other labor, or any military or naval service for which they may be found competent, persons of African descent; and such persons should be enrolled and organized under such regulations as the President might prescribe. That when any man or boy of African descent should render any such service as was provided for in the act, he, his mother and his wife and children should for ever thereafter be free, any law, usage, or custom whatsoever to the contrary notwithstanding. That ten million of dollars be appropriated to carry the provisions of the act into effect. That all persons who had been or should be enrolled in the service under the act, should receive the pay and rations allowed by law to soldiers according to their respective grades: *Provided*, that persons of African descent should receive ten dollars per month and one ration.

On the fourteenth, on motion of Mr. Sherman, the bill was amended, so that three dollars of the ten dollars of compensation of colored persons should be in clothing. On motion of Mr. King, the bill was amended, by striking out ten million dollars, and inserting that the expenses incurred in carrying the act into effect,

should be paid out of the general appropriation for the army. Mr. Sherman moved to amend the bill, by providing that all enlistments thereafter made should be credited to the States respectively in which the same should be made, and be deducted from any future draft in pursuance of the act; but it was rejected. On motion of Mr. Hale, the bill was so amended as to limit the number of staff-officers of corps commanders to the number provided for in the tenth section.

On the fifteenth, the Senate resumed the consideration of the bill. Mr. Sherman moved to amend the thirteenth section, so as to make it read: "That when any man or boy of African descent, who, by the laws of any State, shall owe service or labor to any person who, during the present rebellion, has levied war, or has borne arms against the United States, or adhered to their enemies, by giving them aid and comfort, shall render any such service as is provided for in this act, he, his mother, and his wife and child, shall for ever thereafter be free." Mr. Lane, Mr. Pomeroy, Mr. Howard, and Mr. Harlan opposed the amendment, but it was agreed to—yeas, eighteen; nays, seventeen. Mr. Wilson moved to amend the bill, by adding that medical purveyors and storekeepers should give bonds in such sum as the Secretary of War might require, with security to be approved by him, and the amendment was agreed to. Mr. Wilson then moved an additional section, providing that the sum of fifteen thousand dollars be appropriated for the purchase of artificial limbs for soldiers and seamen disabled in the service of the United States, to be expended under the direction of the Surgeon-General; but, on the suggestion of Mr. Grimes, he withdrew it, and it was, by unanimous consent, put as an amendment on to the supplemental civil appropriation bill.

Mr. Browning moved to strike out the words, "his mother, wife and children," so that the bill would simply provide for the freedom of the person of African descent rendering military service, but the amendment was lost—yeas, seventeen; nays, twenty. Mr. Browning then moved to amend, by adding a proviso, that the mother, wife and children of such man or boy of African descent should not be made free by the operation of the act, except where such mother, wife, or children owed service or labor to some person who, during the rebellion, had borne arms against the United States, or adhered to their enemies, by giving them aid and comfort. The amendment was supported by Mr. Henderson, and agreed to—yeas, twenty-one; nays, sixteen. After debate by Mr. Wright, of Indiana, Mr. Henderson, of Missouri, and Mr. Powell, of Kentucky, the vote was taken on the passage of the bill, and it passed—yeas, twenty-eight; nays, nine.

In the House, on the sixteenth, on motion of Mr. Stevens, the bill was taken from the Speaker's table, and read twice. Mr. Stevens moved the previous question. Mr. Holman, of Indiana,

moved that the bill be laid upon the table, but the motion was lost—yeas, thirty; nays, seventy-seven. The previous question was then ordered, and the bill passed. It was approved by the President on the seventeenth of July, 1862.

No. XXXVIII.—*The Bill to define the Pay and Emoluments of certain Officers of the Army, and for other purposes.*

In the Senate, on the twenty-eighth of January, 1862, Mr. Wilson, of Massachusetts, introduced a bill to define the pay and emoluments of certain officers in the army, which was read twice, and referred to the Committee on Military Affairs. On the fourth of February, Mr. Wilson reported it back, with an amendment as a substitute. On the fifth, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the bill, the pending question being upon the amendment as a substitute. The amendment provided that officers of the army having brevet commissions should not be entitled to any increase of pay or emoluments, because of the exercise of command according to their brevet rank. That officers entitled to forage for horses should not be allowed to commute it, but should draw the allowance in kind. That major-generals should be entitled to draw forage for four horses; brigadier-generals for three horses; colonels, lieutenant-colonels, and majors, two horses each; captains and lieutenants of cavalry and artillery for two horses each; and chaplains for one horse. That whenever an officer of the army should employ a soldier as his servant, he should, for each month deduct, from his own monthly pay, the full amount paid to or expended by the Government per month on account of the soldier. That the first section of the act approved August sixth, 1861, increasing the pay of privates, should not be so construed as to increase the emoluments of the commissioned officers. That so much of the act approved twenty-second July, 1861, as authorized each regiment of volunteers to have twenty-four musicians for a band, be repealed. That each brigade should have sixteen musicians as a band, to be selected from the regimental bands mustered out of service. That, in lieu of the present rate of mileage allowed to officers, not more than six cents per mile should thereafter be allowed, unless when an officer was ordered from a station east of the Rocky Mountains to one west of the same mountains, or vice versa, when ten cents per mile should be allowed. That, during the continuance of the present rebellion, there should be deducted from the compensation of all persons employed in the military, naval, and civil service of the United States, except warrant officers and sailors in the navy, and non-commissioned officers, musicians, and privates in the army, ten per centum of the amount of their compensation. That in each of the permanent hospitals, where the President might deem it necessary, he might appoint a chaplain. That no person should be appointed a chaplain in the United States army who was not a regularly ordained minister of some reli-

gious denomination. That so much of the act approved July twenty-second, 1861, as allowed forty cents per day for the use and risk of the horses of company officers of cavalry, be repealed. That whenever an officer should be put under arrest, except at remote military posts or stations, it should be the duty of the officer by whose orders he was arrested, to see that a copy of the charges on which he had been arrested and was to be tried should be served upon him within eight days thereafter, and that he should be brought to trial within ten days thereafter, unless the necessities of the service prevent such trial, and then he should be brought to trial within thirty days after the expiration of the ten days. That whenever the name of any army officer should have been borne on the Army Register forty-five years, or he should be of the age of sixty-two years, he should be retired from active service; and that the President be authorized to assign any officer who might be retired to any duty.

Mr. Sherman moved to amend the ninth section of the bill making a deduction of ten per cent in salaries of officers in the military, naval, and civil service, by requiring the deduction to apply to all allowances for mileage, and for commutation for servants, forage, and rations, and to all fees or contingent allowances paid for personal services from the treasury of the United States. Mr. Doolittle moved to amend the amendment, and Mr. Sherman accepted it so as to read: "And this deduction shall apply to all allowances for mileage, for commutation for servants, forage, and rations, and for all fees and contingent allowances paid for personal services from the Treasury of the United States; and the rate of mileage of members of Congress shall be reduced fifty per cent, to be computed by the most direct travelled route from his residence to the seat of Congress. A statement of the mileage of each Senator shall be certified to the Secretary of the Senate, and of each Representative and Delegate to the Sergeant-at-Arms of the House of Representatives, by the Postmaster-General, within thirty days of the commencement of each session of Congress." Mr. Simmons, of Rhode Island, and Mr. Howe, of Wisconsin, opposed the amendment. Mr. Howe could not vote for the ninth section, making a deduction on Government salaries. Mr. Trumbull regretted that Mr. Sherman and Mr. Doolittle had pressed their amendments. Mr. Sherman's original amendment was agreed to, and Mr. Doolittle proposed to add a new section, reducing the rate of mileage fifty per cent. The amendment was opposed by Mr. McDougall, and was agreed to—yeas, twenty-nine; nays, ten. Mr. Howe moved to strike out the ninth section making a deduction in salaries of ten per cent during the war—yeas, two; nays, thirty-six.

Yea—Messrs. Howe and McDougall—two.

Nay—Messrs. Anthony, Browning, Chandler, Clark, Collamer, Cowan, Davis, Dixon, Doolittle, Fessenden, Foot, Foster, Harlan, Harris, Henderson, Johnson, King, Lane of Indiana, Latham,

Morrill, Nesmith, Pomeroy, Powell, Rice, Saulsbury, Sherman, Sumner, Ten Eyck, Thomson, Trumbull, Wade, Wilkinson, Willey, Wilmot, Wilson of Massachusetts, and Wilson of Missouri—thirty-six.

On the fourteenth, the Senate resumed the consideration of the bill. Mr. Wilson moved to amend by adding as a new section: "That the number of paymasters of the volunteer forces of the United States shall be reduced so as not to exceed one hundred and twenty-five;" and the amendment was agreed to. Mr. Wilson moved to amend by adding as a new section: "That quarters and fuel shall be furnished to officers only when on duty in the field, or when assigned quarters in public buildings belonging to the Government. The number of offices now allowed to certain officers of the army for the transaction of business shall be furnished, and no more;" and the amendment was agreed to. On motion of Mr. Wilson, the bill was further amended, by adding as additional sections:

"That the bounty now allowed by law to soldiers in the service of the United States shall, in the event that a soldier entitled thereto shall die intestate, without having drawn the same, be paid to the following persons, and in the order following, and to no other persons, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither widow nor children (or children born in lawful wedlock,) then and in that case such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father, or, if he be dead, or has abandoned his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to such brothers and sisters resident as aforesaid, who may have been dependent upon such intestate for support. That all contracts made for, or orders given for, the purchase of goods or supplies by any department of the Government shall be promptly reported to Congress by the proper head of such department, if Congress shall at the time be in session, and if not in session, said reports shall be made at the commencement of the next session. That no contract or order made as aforesaid, or any interest therein, shall be transferred by the party or parties to whom such contract or order may be given, to any other party or parties, and that any such transfer shall cause the annulment of the contract or order transferred, so far as the United States are concerned: *Provided*, That all rights of action are hereby reserved to the United States for any breach of such contract by the contracting party or parties. That the President of the United States be, and hereby is, authorized and requested to dismiss and discharge from the military service, either in the army, navy, or volunteer force in the United States service, any officer for any cause which, in his judgment, renders such officer unsuitable for service, and whose dismission,

in his judgment, would promote the public service."

Mr. Sherman moved to repeal the act authorizing the President to appoint additional aids-de-camp, and to discharge the staff-officers so appointed in thirty days; but after debate withdrew it. Mr. Grimes renewed the amendment, so modified as simply to repeal the act of August fifth, 1861.

On the fifth of March, the Senate resumed the consideration of the bill, and Mr. Grimes's amendment was, on the suggestion of Mr. Clark, of New-Hampshire, modified so as to read, "That the act approved the fifth of August, 1861, entitled 'An act supplementary to an act entitled "An act to increase the present military establishment of the United States,"' approved the twenty-ninth of July, 1861,' be, and the same is hereby, repealed. But the repeal of the said act shall not be construed so as to deprive those persons already appointed under it from holding their offices in the same way and manner as if it had not been repealed;" and the amendment was agreed to.

Mr. Foster, of Connecticut, moved to strike out the tenth section in regard to chaplains, and insert: "That in each of the permanent hospitals, where the President may deem it necessary, he may appoint a chaplain, who shall receive the same compensation as is now allowed to chaplains in the volunteer service." Mr. Foster's amendment was rejected. Mr. Rice proposed to amend it so as to read, "That the appointments of chaplains to the army hospitals, as made by the President of the United States, are hereby approved, and the chaplains so appointed shall be compensated for their services in the same manner as regimental chaplains;" and the amendment of Mr. Rice was agreed to. Mr. Harlan moved to so modify the tenth section as to provide that chaplains in permanent hospitals should receive one thousand dollars per annum—yeas, fourteen, nays, twenty-three; so the amendment was rejected. Mr. Nesmith moved to add to the eleventh section the words, "and that hereafter there shall be but one chaplain in a brigade;" but it was rejected. Mr. Rice moved to add as a new section: "That hereafter all chaplains, whether in the regular or volunteer service or hospitals, shall receive one thousand two hundred dollars per annum." Mr. Harlan demanded the yeas and nays, and they were ordered. The amendment was adopted—yeas, thirty-one; nays, ten.

On the twelfth, the Senate resumed the consideration of the bill, and Mr. Rice moved to strike out the ninth section, relating to the deduction on salaries, and the sixteenth section, relating to mileage. Mr. Grimes moved to amend the ninth section so that the salaries over eight hundred dollars per annum should pay ten per cent; but the motion was rejected. Mr. Rice's motion to strike out the ninth section was lost—yeas, twenty; nays, twenty; the Vice-President voted nay. The motion to strike out the six-

teenth section, relating to the mileage, was lost—yeas, eight; nays, thirty-two.

On motion of Mr. Wilson, the bill was amended by adding as new sections: "That every person who shall furnish supplies of any kind to the army or navy, shall be required to mark and distinguish the same on the outside of each and every package, with the name or names of the contractors so furnishing such supplies to the army or navy; and no supplies of any kind shall be received unless so marked and distinguished. That the President of the United States shall have power, whenever in his opinion it shall be expedient, to purchase cemetery grounds, and cause them to be securely inclosed, to be used as a national cemetery for the soldiers who shall die in the service of the country." Mr. Grimes moved to amend the section relating to the compensation of chaplains, so as to allow them "one ration when on duty." Mr. McDougall moved to strike out the section authorizing brigade bands, and to strike out all of the section abolishing regimental bands, and to insert that "regimental bands be reduced to sixteen musicians;" but the motion was lost. Mr. McDougall demanded the yeas and nays on the passage of the bill, yeas—thirty-seven; nays, two; so the bill passed the Senate.

In the House, on the tenth of June, Mr. Blair, from the Military Committee, to whom the bill had been referred, reported it back with amendments. The first amendment proposed to strike out the first section, providing that brevet commissions should not entitle officers to increase of pay, and it was stricken out. The second amendment was agreed to, striking out the enacting clause of the second section, disallowing commutation of forage, making it the first section of the bill. The third amendment proposed to amend the section so as to provide that when forage in kind could not be furnished, officers should be entitled to commute. Mr. Blair moved to amend the amendment, so as to allow officers assigned to duty requiring them to be mounted, to receive the pay and emoluments of cavalry officers of the same rank. The amendment to the amendment was agreed to, and the amendment adopted. The fourth amendment to the bill proposed to strike out the sixth section, abolishing regimental bands. Mr. McPherson, of Pennsylvania, Mr. Fouke, of Illinois, and Mr. Edwards, of New-Hampshire, opposed the amendment, and it was rejected. The fifth amendment proposed to strike out in the seventh section the word "brigade," and insert "regimental," so that a regiment, instead of a brigade, should have sixteen musicians; but it was disagreed to.

The seventh amendment to strike out the ninth section, deducting ten per cent from the pay of Government officers during the rebellion, was agreed to. The eighth amendment, requiring chaplains employed at military posts to reside at the posts, and be subject to such rules in relation to leave of absence as commissioned officers, was adopted. The ninth amendment proposed to strike out the twelfth section, repealing the law

allowing forty cents per day for the use and risk of horses of company officers of cavalry; and it was agreed to—yeas, forty-eight; nays, forty-seven. The tenth amendment proposed to amend the thirteenth section, providing that an officer under arrest should be discharged unless a copy of the charges against him should be served on him within eight days, so as to read, “may be tried whenever the exigencies of the service will permit.” On motion of Mr. Edwards, of New-Hampshire, the amendment was amended by adding the words, “within twelve months after such release from arrest;” and the amendment as amended was agreed to. The eleventh amendment proposed to strike out the fourteenth section, providing for retiring officers borne on the army or navy register forty-five years, or who should be sixty-two years of age; but the amendment was lost—yeas, twenty-eight; nays, sixty-eight. The twelfth amendment, striking out the fifteenth section, authorizing the President to assign to duty retired officers, was disagreed to. The thirteenth amendment proposed to strike out the sixteenth section, relating to the mileage of members of Congress. Mr. F. A. Conkling, of New-York, moved to amend the amendment so as to allow members of Congress their actual travelling expenses, and it was agreed to—yeas, ninety; nays, thirty-three. The amendment as amended was agreed to. Mr. Washburne moved to reconsider that vote, and lay the motion on the table. This motion was agreed to, so the sixteenth section was stricken out. The House, by a vote of seventy-three to twenty-one, agreed to the fourteenth amendment, striking out the eighteenth section, disallowing commutation of fuel and quarters to officers. The bill was amended by agreeing to the sixteenth amendment, placing volunteer engineers on the same footing, in regard to pay, emolument, and organization, as engineers of the regular army. The seventeenth amendment proposed to add a new section, providing that vacancies occurring among officers of volunteer regiments should be filled by the President, on the recommendation of officers of the regiments. Mr. Holman, of Indiana, and Mr. McPherson, of Pennsylvania, opposed the amendment, and Mr. Browne, of Rhode Island, advocated it. On the twelfth, the consideration of the bill was resumed, and the amendment rejected. The eighteenth amendment, providing that volunteer officers should have equal rank with officers of like grade having commissions from the United States, was agreed to. An amendment was adopted repealing the law retaining two dollars per month of the pay of privates in the regular army until the expiration of their term of service. The twentieth amendment was agreed to, authorizing the President to accept the services of foreign officers, and grant them commissions in the volunteer forces. A new section was added, requiring volunteers to be examined as to their physical condition, in the same manner as men enlisted into the regular army. The twenty-second amendment of the Committee authorized the President to assign

army officers as field-officers, upon the application of Governors of States; and the amendment was agreed to. The twenty-third amendment, providing that any alien of the age of twenty-one years and upward, who had enlisted or should enlist in the armies of the United States, either the regular or volunteer forces, and had been or might be thereafter honorably discharged, might be admitted to become a citizen of the United States upon his petition, without any previous declaration of his intention to become a citizen, was agreed to. The twenty-fourth amendment was agreed to, providing that thereafter, every contractor for subsistence, clothing, arms, ammunition, munitions of war, and for every description of supplies for the army or navy of the United States, should be subjected to the rules and articles of war, so far as the same were applicable. On motion of Mr. Dunn, of Indiana, the bill was amended by adding a new section, providing that there should be added to the Adjutant-General’s department, by regular promotion of its present officers, one colonel, two lieutenant-colonels, and nine majors; and that the grade of captain in said department be abolished, and all vacancies occurring in the grade of major should be filled by selection from among the captains of the army. Mr. Blair called for the previous question on the passage of the bill; it was ordered, and the bill passed without a division.

In the Senate, on the fourteenth, the House amendments were referred to the Military Committee, and on the eighteenth Mr. Wilson reported back the bill and House amendments, with an amendment. On the nineteenth, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the amendments of the House; agreed to some of them, and disagreed to others, and agreed to others with amendments. On motion of Mr. Wilson, on the twentieth, the Senate asked a committee of conference, and Mr. Wilson, Mr. Nesmith, and Mr. Howard were appointed managers on the part of the Senate. The House insisted upon its amendments, agreed to a committee of conference, and Mr. Olin, of New-York, Mr. Dunn, of Indiana, and Mr. G. H. Browne, of Rhode Island, were appointed managers. On the seventh of July, Mr. Wilson, from the committee of conference, reported to the Senate that they recommend to their respective Houses: “That the Senate adhere to their disagreement to the amendments of the House to the said bill; and that the House adhere to its disagreement to the Senate’s amendments to the House amendments to said bill.” The Senate and House both concurred in the report of the conference committee.

Mr. Wilson, by unanimous consent, then introduced a bill to define the pay and emoluments of certain officers of the army, and for other purposes, which was read twice. The bill provided that officers entitled to forage should not be allowed to commute it, but might draw forage in kind. That when forage in kind could not be furnished, then officers might commute it. That

officers assigned to duty which required them to be mounted, should, on such duty, receive the pay, emoluments, and allowances of cavalry officers of the same grade. That major-generals should be entitled to draw forage in kind for five horses; brigadier-generals for four horses; colonels, lieutenant-colonels, and majors, for two horses each; captains and lieutenants of cavalry and artillery, or having the cavalry allowance, for two horses each; and chaplains, for one horse. That whenever an officer of the army should employ a soldier as his servant, he should deduct from his own monthly pay the full amount paid to or expended by the Government per month on account of the soldier. That the act to increase the pay of privates in the regular army and in the volunteers, should not be so construed as to increase the emoluments of the commissioned officers. That the act which authorized each regiment of volunteers to have twenty-four musicians for a band, be repealed. That each brigade might have sixteen musicians as a band, who should receive the pay and allowances provided by law for regimental bands. That in lieu of the rate of mileage allowed to officers where transportation in kind was not furnished to them, not more than six cents per mile should thereafter be allowed, unless where an officer was ordered from a station east of the Rocky Mountains to one west of the same mountains, or *vice versa*, when ten cents per mile should be allowed. That no person should be appointed a chaplain who was not a regularly ordained minister of some religious denomination, and who did not present testimonials of his good standing as such minister, with a recommendation for his appointment as an army chaplain from some authorized ecclesiastical body, or not less than five accredited ministers belonging to said religious denomination. That the compensation of chaplains should be one hundred dollars per month and two rations a day when on duty; and the chaplains of the permanent hospitals should be nominated to the Senate for its advice and consent; and chaplains employed at the military posts should be required to reside at the posts, and chaplains should be subject to such rules in relation to leave of absence as were prescribed for officers of the army. That so much of the law as allowed forty cents per day for the use and risk of the horses of company officers of cavalry, be repealed. That whenever an officer should be put under arrest, except at remote military posts, the officer by whose orders he was arrested should see that a copy of the charges were served upon him within eight days, and that he should be brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he should be brought to trial within thirty days after the expiration of the ten days or the arrest should cease: that if the copy of the charges were not served upon the arrested officer, the arrest should cease; but officers released from arrest might be tried whenever the exigencies of the service permit, within twelve months; and these provisions should apply to

all persons under arrest. That whenever the name of any officer of the army or marine corps should have been borne on the army register or naval register forty-five years, or he should be of the age of sixty-two years, it should be in the discretion of the President to retire him from active service, and the President was authorized to assign him to any appropriate duty, and he should receive the full pay and emoluments of his grade while so assigned. That all contracts for the purchase of goods should be promptly reported to Congress. That no contract should be transferred by the party or parties to whom such contract might be given to any other party, and that any such transfer should cause the annulment of the contract. That every person who should furnish supplies to the army or navy should be required to mark the same, with the name or names of the contractors, and no supplies should be received unless so marked. That any person who should contract to furnish supplies for the army or navy should be deemed and taken as a part of the land or naval forces of the United States, and be subject to the rules and regulations for the government of the land and naval forces. That the President of the United States be authorized and requested to dismiss from the military service either in the army, navy, or marine corps, or volunteer force, any officer for any cause which, in his judgment, either rendered such officer unsuitable for, or whose dismission would promote the public service. That the President should have power to purchase cemetery grounds for the soldiers who should die in the service. That so much of the act of 1831 as authorized the appointment of additional aids-de-camp, be repealed. That the different regiments and independent companies mustered as volunteer engineers, pioneers, or sappers and miners, should be recognized as volunteer engineers, on the same footing, in all respects, in regard to their organization, pay, and emoluments, as the corps of engineers of the regular army. That any alien, of the age of twenty-one years and upward, who had been or might thereafter be honorably discharged from the service, might be admitted to become a citizen without any previous declaration of his intention to become a citizen, and he should not be required to prove more than one year's residence within the United States previous to his application to become such citizen. And that there should be added to the Adjutant-General's department, by regular promotion, one colonel, two lieutenant-colonels, and nine majors; and the grade of captain in the department should be abolished, and all vacancies occurring in the grade of major should be filled by selection from among the captains of the army. On the eighth, the Senate proceeded to the consideration of the bill, and Mr. Grimes moved to strike out so much as provided for the addition and promotion in the Adjutant-General's office—yeas, fifteen; nays, twenty; so the amendment was lost. The bill was then passed without a division. In the House, on the same day, Mr. Olin called up the bill from the Speaker's table, and it was passed

without a division, and was approved by the President on the seventeenth of July, 1862.

No. XXXIX.—*The Bill to facilitate the Discharge of Disabled Soldiers from the Army, and the Inspection of Convalescent Hospitals and Camps.*

In the Senate, on the seventeenth of December, 1862, Mr. Wilson, from the Committee on Military Affairs, reported a bill to facilitate the discharge of disabled soldiers, and for the inspection of convalescent camps and hospitals, which was read, and passed to a second reading. It proposed to add to the medical corps of the army two medical inspectors-general, and eight medical inspectors, to be appointed by selection from the medical corps of the army, or from the surgeons in the volunteer service, without regard to rank, but with sole regard to qualifications. It provided that the officers of the medical inspector's department should be charged with the duty of making regular and frequent inspections of all military general hospitals and convalescent camps, and upon each inspection to designate to the surgeon in charge of such hospitals or camps, all soldiers who might be fit subjects for discharge from the service on surgeon's certificate of disability, or sufficiently recovered to be returned to their regiments for duty; and the medical inspecting officers were empowered to direct the return to duty, or the discharge from the service, of the soldiers designated.

On motion of Mr. Hale, the provision authorizing the President to select from the medical corps of the army or from the volunteer forces, was stricken out. Mr. Grimes moved to amend, by adding as, a new section, that all "three years or during the war" volunteers, raised or enlisted by the order or under the authority of the Secretary of War, be entitled to the bounty authorized to be paid to volunteers raised or recruited by the States under existing laws. He explained the object of the amendment to be, to place the "gray beard" regiment of his State, made up of enlisted men over forty-five years of age, upon the same footing as other three years volunteers. At the suggestion of Mr. Fessenden, Mr. Grimes withdrew his amendment, with the view of introducing it as a new bill. The bill was further discussed by Mr. Foster, Mr. Clark, Mr. Wilson, Mr. Grimes, Mr. Fessenden, Mr. Trumbull, Mr. Nesmith, and Mr. Hale. On motion of Mr. Fessenden, it was amended, by taking out the words "two medical inspectors-general." On motion of Mr. Clark, it was made the duty of the medical inspectors to see that soldiers, fit subjects for discharge, were discharged, or if sufficiently recovered, returned to their regiments. The bill, as amended, was then passed without a division.

In the House, on the nineteenth, on motion of Mr. Buffinton, of Massachusetts, the bill was taken from the Speaker's table. Mr. Blake, of Ohio, moved to amend it, so as not to require discharges on surgeon's certificates. Mr. Richardson, of Illinois, and Mr. McPherson, of Penn-

sylvania, opposed the amendment, and Mr. Blake withdrew it. The bill was then passed without a division, and was approved by the President on the twenty-seventh day of December, 1862.

No. XL.—*The Bill to improve the Organization of the Cavalry Forces.*

In the Senate, on the sixteenth of December, 1862, Mr. Wilson, of Massachusetts, introduced a bill to improve the organization of the cavalry forces, which was read twice, and referred to the Committee on Military Affairs. On the seventeenth, Mr. Wilson reported it back without amendment. It provided that thereafter each regiment of cavalry might have two assistant-surgeons, and that each company of cavalry should have from sixty to seventy-eight privates. Mr. Wilson explained that the object was to have a minimum number in the cavalry as in the infantry and artillery. The law was construed to require seventy-eight privates in each company before organization. At the suggestion of Mr. Grimes, Mr. Wilson moved to amend, so that "each company hereafter organized" should have from sixty to seventy-eight privates. The amendment was agreed to, and the bill passed. In the House, on the twenty-third, on motion of Mr. Dunn, of Indiana, the bill was taken from the Speaker's table, and passed. It was approved by the President on the sixth day of January, 1863.

No. XLI.—*The Bill to increase the Clerical and other Force of the Quartermaster-General's Office, and for other purposes.*

In the Senate, on the fourteenth of January, 1863, Mr. Wilson, from the Committee on Military Affairs, reported a bill to authorize the appointment of three auditors and a solicitor for the quartermaster's department, and to increase the clerical force of the Quartermaster-General's office. The bill provided that there should be appointed three auditors of the quartermaster's department, who should each receive a compensation of two thousand dollars per annum, and who should perform such duties as might be assigned to them, under the direction of the Quartermaster-General, and in his office, in connection with the examination and settlement of accounts of money and property; and one solicitor, at a compensation of two thousand dollars per annum, who should be a person of legal knowledge and ability, and who should, under the direction of the Quartermaster-General, take charge of, and advise the Quartermaster-General upon all legal questions arising in the service of the quartermaster's department. It also provided that there should be added to the clerical force of the Quartermaster-General's office one hundred and twenty clerks of class one, and thirty copyists, at an annual compensation of six hundred dollars. On the sixteenth, the bill, on motion of Mr. Wilson, was taken up, and briefly debated by Mr. Wilson, Mr. Lane, Mr. Trumbull, Mr. Sherman, and Mr. Pomeroy. On the twenty-third, the Senate resumed its consideration. Mr. Harlan pro-

posed to amend the first section, by striking out the word "auditors," and inserting "assistant quartermasters-general;" but after debate, withdrew it. Mr. Hale would strike out the first section, authorizing the appointment of three auditors and one solicitor. On the twenty-fourth, the Senate resumed the consideration of the bill; and on motion of Mr. Wilson, the first section was stricken out, and the second section so modified as to read: "That there should be added to the clerical and other force in the office of the Quartermaster-General four clerks of class four, ninety clerks of class one, and thirty copyists and six laborers, at an annual compensation of six hundred dollars each, to be appointed by the Secretary of War." Mr. Fessenden moved to amend, by adding as a new section: "That in settling the accounts of officers for clothing and other military supplies, the affidavit of any officer may be received, to show the loss of vouchers, or company books, or any matter or circumstance tending to prove that any apparent deficiency was occasioned by unavoidable accident or loss in actual service, without any fault on his part; or that the whole or any part of such clothing and supplies had been properly and legally used and appropriated; and such affidavits may be considered as evidence to establish the facts set forth, with or without other evidence, as may seem to the Secretary of War just and proper under the circumstances of the case." Mr. Trumbull moved to amend the amendment, by inserting after the word "officer" the words, "stating that he knows of no witness by whom he can prove the same facts." Mr. Fessenden objected to Mr. Trumbull's amendment, and after debate withdrew his own amendment. Mr. Rice renewed it, and Mr. Trumbull renewed his amendment to the amendment, and it was lost—yeas, seventeen; nays, eighteen. Mr. Sherman moved to amend, by striking out of the original amendment the word "officers," and inserting "commanding officer of a company," and it was agreed to. The amendment as amended was then agreed to—yeas, twenty-one; nays, sixteen. The bill as amended was then passed, and the title so amended as to read: "A bill to authorize the increase of the clerical and other force of the quartermaster's department, and for other purposes."

In the House, on the twenty-sixth, Mr. Olin, of New-York, moved the reference of the bill to the Military Committee, and it was so referred. Mr. McPherson, of Pennsylvania, from the Committee on Military Affairs, reported it back without amendment. It was passed without a division, and approved by the President on the seventh day of February, 1863.

No. XLII.—*The Bill to authorize the Raising of a Volunteer Force for the Defence of Kentucky.*

In the House, on the twelfth of December, 1861, Mr. Blair, from the Committee on Military Affairs, reported a bill to authorize the raising of a volunteer force for the better defence of

Kentucky. On motion of Mr. Bingham, of Ohio, it was so amended as to subject the force so raised to "the rules and regulations of war." On motion of Mr. Wickliffe, its further consideration was postponed to the sixteenth, and on that day it was taken up, debated, amended, and passed.

The Senate, on the seventeenth, referred the bill to the Committee on Military Affairs. On the sixteenth of July, 1862, Mr. Wilson reported it back with an amendment. The Senate, on motion of Mr. Davis, proceeded to its consideration. It proposed to empower the Military Board of Kentucky to raise, and organize into regiments, a volunteer force not exceeding twenty thousand rank and file, to serve for one year within the limits of Kentucky in repelling invasion, suppressing insurrection, and guarding and protecting the public property; but at any time that it might be necessary, these troops might be employed out of the limits of Kentucky against the enemies of the State or of the United States. The officers and soldiers enrolled and mustered into the service of the United States were to be subject to the rules and articles of war, and to be placed on the same footing with other volunteers of the United States as to pay, subsistence, clothing, and other emoluments, for and during the time they might be in service. The Military Committee reported, as an amendment, a new section, providing that by and with the advice and consent of the commanding general of the department of which Kentucky might be a part, the volunteers authorized to be raised by this act, or any portion of them, might attach themselves to, and become part of the body of the three years Kentucky volunteers. The amendment was agreed to. On motion of Mr. Collamer, the bill was further amended, so that the officers and men should only be paid while in "actual service." After debate, in which Mr. Davis, Mr. Wilson, Mr. Lane, of Indiana, Mr. King, Mr. Sherman, Mr. Collamer, Mr. Clark, and Mr. Cowan participated, Mr. Trumbull moved the indefinite postponement of the bill. Mr. Howe took the floor, and the bill went over, and was not again called up during that session.

On the fifth of January, 1863, Mr. Davis moved to take up the bill for consideration, and the motion was agreed to. Mr. Trumbull, after debate, withdrew his motion for indefinite postponement, and the bill was amended, on motion of Mr. Davis, so as to authorize the troops to be raised by the "Governor" instead of the "Military Board;" further amended, on motion of Mr. Collamer, so as to allow the troops to be raised with "the consent of the President," and then on motion of Mr. Clark, recommitted to the Military Committee.

On the eighth, Mr. Wilson reported the bill back, with an amendment in the nature of a substitute. The Senate, on the ninth, proceeded to the consideration of the bill and the amendment. The amendment reported by the Military Committee was to strike out all after the enact-

ing clause, and insert: That the Governor of Kentucky, by the consent and under the direction of the President, should have the power to raise and organize into regiments a volunteer force not exceeding twenty thousand, to serve for the term of twelve months, to be employed within the limits of Kentucky in repelling invasion, suppressing insurrection, and guarding and protecting the public property: *Provided*, that at any time it might be necessary, in the discretion of the President, these troops might be employed out of the limits of Kentucky against the enemies of the United States. That the regimental and company officers should be appointed and commissioned by the State of Kentucky, provided the officers should be entitled to pay only when the regiments or companies were filled as required by law and while in actual service. That the regiments, when raised and officered, should be mustered into the service of the President of the United States, and be subject to the command of the President. That the officers and soldiers thus enrolled and mustered into service should be subject to the rules and articles of war, and should be placed on the same footing as other volunteers in the service of the United States as to pay, subsistence, clothing, and other emoluments, except bounty, for and during the time they might be in actual service. That a portion of this volunteer corps, not exceeding two regiments, might be mounted, and armed as mounted riflemen. That the President should have power to make such other regulations in regard to the organization of this force as he should deem expedient for the interest of the service. That by and with the consent of the President, the volunteers authorized to be raised by this act, or any portion of them, might be attached to and become part of the three years Kentucky volunteers. Mr. Harlan moved to amend, by striking out the words "Governor of Kentucky," and inserting the word "President," so that the President should be authorized to raise twenty thousand one year's volunteers in any State or States, instead of authorizing the Governor of Kentucky to raise that number of men in that State. After debate, the amendment was agreed to—yeas, nineteen; nays, sixteen.

The Senate, on the twelfth, resumed the consideration of the bill, and on motion of Mr. Lane, of Indiana, reconsidered the vote on Mr. Harlan's amendment—yeas, twenty-one; nays, fourteen. That amendment, and others agreed to on the ninth, were then rejected. On motion of Mr. Davis, it was so amended that the troops should be "raised within the State of Kentucky." Mr. Clark moved to postpone the consideration of the bill for one week; but the motion was lost—yeas, thirteen; nays, twenty-four. It was then passed—yeas, twenty-three; nays, thirteen. The bill was, on the sixteenth, referred by the House to the Committee on Military Affairs. On the fourth of February, Mr. Yeaman, of Kentucky, reported it back, with a recommendation that the amendment of the Senate be con-

curred in. Mr. Stevens, of Pennsylvania, moved its reference to the Committee of the Whole; lost—yeas, twenty-five; nays, ninety-three. Mr. Olin moved the previous question, and under its operation the substitute of the Senate was agreed to. So the bill was passed, and approved by the President on the seventh of February, 1863.

No. XLIII.—*The Bill to promote the efficiency of the Commissary Department.*

In the House, on the eighth of January, 1863, Mr. Washburne, of Illinois, introduced a bill to promote the efficiency of the commissary department, which was read twice and referred to the Committee on Military Affairs. Mr. Mardon, of New-Hampshire, on the fourth of February, reported it back with an amendment.

The bill provided that there should be added to the subsistence department of the army, by regular promotions therein, one brigadier-general, who should be commissary-general of subsistence; one colonel, one lieutenant-colonel, and two majors; the colonel and lieutenant-colonel to be assistant commissaries-general of subsistence; and that the vacancies in the above-mentioned grades should be filled by regular promotions in the department.

The Committee on Military Affairs proposed to amend by adding to the bill, that the vacancies created by the promotions therein authorized might be filled by selections from officers of the regular or volunteer force; and the amendment was agreed to, and the bill passed.

On the seventh, the Senate, on motion of Mr. Lane, of Indiana, took it up for consideration. Mr. Wilson moved to amend the bill, so that the commissary-general, who was to have the rank a brigadier-general, should be appointed by selection, and the other officers by regular promotion. Mr. Lane, of Indiana, Mr. Ten Eyck, Mr. Lane, of Kansas, and Mr. Howe opposed the amendment, and Mr. Grimes and Mr. Wilson advocated it, not in opposition to the promotion of Colonel Taylor, the Commissary-General, but upon the ground that general officers were appointed by selection. Mr. Wilkinson was opposed to the bill and the amendment. Mr. Wilson modified his amendment so that the commissary-general should be selected from the commissary department; and it was then agreed to, and the bill passed. On the same day, the House, on motion of Mr. Buffinton, of Massachusetts, concurred in the Senate amendment, and the bill was passed, and it was approved on the ninth of February, 1863.

No. XLIV.—*The Joint Resolution to facilitate the Payment of sick and wounded Soldiers in the Hospitals and Convalescent Camps.*

In the Senate, on the eighteenth of February, 1863, Mr. Wilson introduced a joint resolution to facilitate the discharge of sick and wounded soldiers in the hospitals and convalescent camps, which was read twice and referred to the Military Committee. On the twentieth, Mr. Wilson re-

ported it back without amendment. It directed the Paymaster-General to take immediate measures for the payment of the sick and wounded soldiers in the convalescent camps, hospitals, and elsewhere, so that they might be fully paid within thirty days from the passage of the resolution.

Mr. Wilson asked for the immediate consideration of the resolution, and there being no objection, the Senate proceeded to its consideration. Mr. Fessenden stated the difficulty to be the want of the descriptive lists in the hospitals and convalescent camps. Mr. Wilson thought the difficulty grew out of the want of system. He wanted to force the pay department to put its strength upon the convalescent camps and hospitals, have every man's case examined, and have him paid in thirty days. Mr. Grimes did not think the object could be accomplished in thirty days, if it was applied to the whole country; and he moved to amend the resolution by striking out the word word "thirty" and inserting "sixty." Mr. Ten Eyck opposed the amendment. Mr. Wilson thought there was something in the suggestion of Mr. Grimes, and he would agree to the amendment. It was adopted, and the resolution passed. On the second of March, the joint resolution was taken up in the House and passed; and the President approved it on the third of March, 1863.

No. XLV.—*The Bill for Enrolling and Calling out the National Forces, and for other purposes.*

In the Senate, on the twenty-eighth of January, 1863, Mr. Wilson, of Massachusetts, introduced a bill for the encouragement of reenlistments, and for the enrolling and drafting the militia, which was referred to the Committee on Military Affairs. On the thirty-first, Mr. Wilson reported it back, with an amendment as a substitute. On the fourth and fifth of February, the bill was debated by Mr. Wilson, Mr. Sherman, Mr. Richardson, Mr. Trumbull, Mr. Carlisle, Mr. Bayard, Mr. Collamer, Mr. Howard, Mr. Davis, and Mr. Doolittle, and on motion of Mr. Lane, of Indiana, recommitted to the Committee on Military Affairs.

On the ninth of February, Mr. Wilson, from the Military Committee, reported a bill for enrolling and calling out the national forces, and for other purposes, in thirty-six sections. The Senate, on the sixteenth, proceeded to its consideration as in Committee of the Whole. Mr. Wilson, in explanation of the provisions of the bill, said:

"Sir, we have endeavored to frame this great measure for the defence of the periled nation against the blows of armed treason so as to bear as lightly as possible upon the toiling masses, and to put the burdens, as far as we could do so, equally upon the more favored of the sons of men. It is impossible, in this world of inequality, to frame a measure of this character to bear equally upon all conditions of men; but this bill has been framed in the earnest desire to make its burdens fall as gently as possible upon the poor

and dependent sons of toil. But it is a high and sacred duty, resting alike upon all the citizens of the republic, upon the sons of toil and misfortune and the more favored few, to labor, to suffer, ay, to die, if need be, for their country. Never since the dawn of creation have the men of any age been summoned to the performance of a higher or nobler duty than are the men of this generation in America. The passage of this great measure will clothe the President with ample authority to summon forth the sons of the republic to the performance of the high and sacred duty of saving their country, now menaced, and the periled cause of civilization and freedom in America, and of winning the lasting gratitude of coming ages, and that enduring renown which follows ever duty nobly and bravely done. The enactment of this bill will give confidence to the Government, strength to the country, and joy to the worn and weary soldiers of the republic around their camp-fires in the land of the rebellion.

"A brief analysis of the sections of this measure will exhibit its comprehensive character, and will, I am sure, commend its beneficent provisions to the favor of Congress and of the country.

"Section one declares that all able-bodied male citizens of the United States, between the ages of eighteen and forty-five, shall constitute the national forces, and be liable to military duty at call of the President, with certain exceptions.

"Section two exempts the Vice-President, judges of the various courts of the United States; heads of departments; the only son of aged and infirm parents dependent upon him; or where more than one son, in such cases the father may elect which shall be exempt, or the mother if the father is dead; only brother of children under twelve whose father and mother are dead; the father of motherless children under twelve, dependent upon him for support; where there are father and sons in the same family and household, and two of them are in the military service of the United States.

"Section three divides the forces not now in service into two classes. 1. All between eighteen and thirty years of age, and all the unmarried between thirty and forty-five. 2. All other persons liable to do military duty; and the second class not to be called into service until after the first shall have been called.

"Section four divides the United States into districts, of which the District of Columbia forms one, each Territory one or more as the President shall direct, and the remainder by the congressional districts, as fixed by State laws, or by the President in States not divided into districts.

"Section five provides that the President shall appoint a provost-marshal for each district, with the rank, pay, etc., of a captain of cavalry, the whole to be under a provost-marshal general, with rank, etc., of a colonel of cavalry, whose office shall constitute a bureau at the seat of Government.

"Section six provides that the Provost-Marshal General shall make rules for government of subordinates, furnish them the names of deserters, communicate all orders of the President for calling out the national forces; file copies of enrolment lists, obtain reports from his subordinates; audit all accounts connected with the service under his direction, and perform such other duties as the President prescribes.

"Section seven. The provost-marshal is to arrest and send to the nearest military post all deserters; to inquire into and report to his superior all treasonable practices; to seize and confine spies of the enemy; and obey generally all lawful regulations and orders of the Provost-Marshal General.

"Section eight provides for a board of enrolment in each district, of which the provost-marshal shall be president; the others to be appointed by the President of the United States, and one to be a practising physician and surgeon.

"Section nine provides that the board shall divide the districts into sub-districts of not exceeding two without the direction of the Secretary of War, before March tenth, and in each alternate year thereafter; to appoint an enrolling officer in each sub-district, and furnish blanks, etc. The officer to enroll all persons in his sub-district before April first, noting age, residence, and occupation, and report to the board; the board to consolidate the names into a list, and report to the Provost-Marshal General before first May.

"Section ten provides for separate enrolment of the classes, and that the ages shall be reckoned from the first July after enrolment.

"Section eleven. The enrolment is to be for two years, and the enrolled to be liable to serve three years, or for the war, on the same footing as the volunteers, as now provided by law.

"Section twelve. In case of call, the President is to assign to each district the number of men to be furnished; the board to draft the required number, and sixty per cent additional—the drafted men to be notified by the provost-marshal, and report for duty within ten days.

"Section thirteen. Men failing to report, to be treated as deserters, unless they show non-liability to do military duty.

"Section fourteen provides for the inspection of the drafted men by the surgeon of the board, and the hearing of claims for exemption by the board; their decision to be final in all cases.

"Section fifteen provides for the trial and punishment of surgeons for receiving presents or agreeing to receive any valuable thing for making a false report or for neglecting to make a report. Punishment to be fine not more than five hundred dollars nor less than two hundred dollars, imprisonment at discretion of court-martial, and dismissal from service.

"Section sixteen provides for the discharge of those not required, and payment of their travelling expenses. Also for the payment of the expenses of the draft; expenses of arresting and returning deserters; provides against commuta-

tion to the provost-marschals except for forage, and for pay of clerk hire, postage, stationery, etc.

"Section seventeen provides for substitutes.

"Section eighteen provides for paying a bounty of fifty dollars to all the present volunteers who re-enlist for one year, one half on re-enlistment, and the balance at the end of the term of re-enlistment; those who re-enlist for two years, twenty-five dollars of the one hundred dollar bounty provided by the fifth section of the act of July twenty-second, 1861, relating to volunteers.

"Section nineteen provides for the consolidation of companies in regiments of volunteers from the same State, when reduced to one half the maximum, and for a reduction of the officers in such cases in the same proportion.

"Section twenty provides that whenever a regiment is reduced below the minimum allowed by law, no officers shall be appointed beyond the number necessary to command the regiment.

"Section twenty-one repeals so much of section five of the act of July seventeenth, 1862, as requires the approval of the President to a sentence of a court-martial in case of a spy or a deserter, or of mutiny or murder, and substitutes the approval of the commanding general in the field.

"Section twenty-two gives to courts-martial power to punish absenting officers by reducing them to the ranks for three years.

"Section twenty-three provides that soldiers shall not sell or dispose of the clothes, arms, etc., furnished by the United States, but all such articles may be seized by any civil or military officer and delivered to any quartermaster.

"Section twenty-four provides for the punishment by fine not exceeding five hundred dollars, and imprisonment not less than six months nor more than two years, for enticing a soldier to desert, for concealing or harboring or employing a deserter, and for purchasing his arms, clothing, etc., and the same penalty for any superintendent or conductor of any public conveyance, captains of ships, etc., for carrying away or refusing to deliver up any person knowing him to have deserted.

"Section twenty-five provides the same punishment for resisting a draft, or for counselling or aiding resistance to a draft, or counselling drafted men not to appear at the place of rendezvous, or dissuading men from performing military duty.

"Section twenty-six provides that the President shall issue his proclamation declaring that soldiers now absent without leave may return within a time to be specified by him without punishment, except the forfeiture of their pay and rations during absence; and those who do not return, to be treated as deserters.

"Section twenty-seven provides for taking depositions of witnesses not residing in the military district where the court is held.

"Section twenty-eight provides that the judge-advocate shall have power to appoint a reporter to record the proceedings and testimony of the courts-martial.

"Section twenty-nine provides for a continuance for cause to either party, but not to ex-

ceed sixty days, if the prisoner be in close confinement.

"Section thirty. In time of war, insurrection, and rebellion, cases of felony, by persons in military service, are to be tried only by courts-martial, subject to the articles of war—the penalty to be not less than is prescribed in the State where the offence is committed.

"Section thirty-one. Officers absent on leave are to receive half-pay and allowance, and if absent without leave, no pay and allowance during such absence.

"Section thirty-two. Commanders of regiments and batteries in the field to have power to grant furloughs, not exceeding thirty days, to five per cent of the non-commissioned officers and privates, for good conduct.

"Section thirty-three. The President is to assign drafted persons to any corps or service which exigencies may require.

"Section thirty-four. Details to special service are to be made only with consent of the commanding officer in the field, and no extra pay for special service to be allowed.

"Section thirty-five rescinds general orders of War Department Numbers 154 and 162, and forbids enlisting from the volunteers for regular army.

"Section thirty-six provides compensation for the grades in the cavalry service, not before provided for, namely, regimental commissary same as regimental quartermaster, chief trumpeter same as chief bugler, saddler-sergeant the same as regimental commissary-sergeant, company commissary-sergeant same as company quartermaster's sergeant. Also provides that the grade of supernumerary second lieutenant and two teamsters for each company, and one chief farrier and blacksmith for each regiment, shall be abolished; also, that each company may have two trumpeters, to be paid as buglers; one veterinary surgeon to each regiment, at seventy-five dollars per month, and rank of regimental sergeant-major.

"Sir, these provisions embodied in this bill are intended to meet the needs of the country and the requirements of the military service. They have been incorporated into the bill after much examination and reflection, and with the approbation of several of our most experienced military men. I am confident the enactment of this bill, embodying so many provisions required by the exigencies of the public service, will weapon the hands of the nation, fire the drooping hearts of the people, thrill the wasting ranks of our legions in the field, carry dismay into the councils of treason, and give assurance to the nations that the American people have the sublime virtue of heroic constancy and endurance that will assure the unity and indivisibility of the republic of the United States."

Mr. Cowan, of Pennsylvania, moved to exempt Members of Congress from the enrolment and draft. On motion of Mr. Lane, of Kansas, the yeas and nays were ordered on the amendment. Mr. Richardson, of Illinois, and Mr. Doolittle, of Wisconsin, supported Mr. Cowan's amendment.

Mr. Wilson thought its adoption would weaken the moral force of the law—he wanted every body to feel that this measure was a necessity, forced upon us by the needs of the country; that to be drafted to carry this country through the impending struggle was the most honorable thing that can fall upon an American citizen. The amendment was lost—yeas, thirteen; nays, twenty-four.

Mr. Cowan then moved to exempt Governors, Members of the State legislatures, and members of the judiciary of the several States. Mr. Clark, of New-Hampshire, moved to amend the amendment by striking out the words "members of the State legislatures"—yeas, twenty-two; nays, twenty; so the amendment to the amendment was agreed to. On motion of Mr. Fessenden, Mr. Cowan's amendment exempting the members of the judiciary of the several States was amended by adding the words, "justices of the peace not included;" and the amendment as amended was adopted. Mr. Collamer moved to amend the twelfth section by adding, "that in assigning to the districts the number of men to be furnished, the President should take into account the number of volunteers or militia furnished from the State, and allow the same, according to the period of their service, and allow the same to be apportioned equally among the districts in the State, and make apportionment of the districts of the several States accordingly." Mr. Sumner moved to amend the amendment so as to include all persons furnished the navy as far as can be ascertained. The amendment to the amendment was opposed by Mr. Grimes, Mr. Rice, Mr. Davis, and Mr. Howe, and rejected. Mr. Collamer's amendment was then agreed to.

Mr. Powell moved to exempt professors in colleges and teachers in schools; but the amendment was rejected without a division. Mr. Sumner moved to amend the amendment of Mr. Collamer, which had been agreed to, by adding "that in assigning to the districts in each State the number of men to be furnished therefrom, the President should take into account the number of persons that might thereafter be furnished to the navy, so far as could be ascertained;" and it was agreed to. Mr. Clark moved to strike out the thirteenth section, and insert: "that any person drafted and notified to appear as aforesaid, may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft, or he may pay to such person as the Secretary of War may authorize to receive it, such sum, not exceeding three hundred dollars, as the Secretary may determine for the procreation of such substitute, and thereupon such person so furnishing the substitute or paying the money shall be discharged from further liability under that draft; and any person failing to report after due service of notice as herein prescribed without furnishing a substitute or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal and sent to the nearest military post for trial by court-martial, unless, upon proper showing

he is not liable to do military duty, the board of enrolment shall relieve him from draft." The amendment was agreed to. Mr. Nesmith moved to strike out the third section, providing that the national forces should be divided into two classes, the first of which should comprise all persons subject to do military duty between the ages of eighteen and thirty years, and all unmarried persons subject to do military duty above the age of thirty and under the age of forty-five; the second class should comprise all other persons subject to do military duty; and they should not, in any district, be called into the service of the United States until those of the first class should have been called. Mr. Wilson moved to amend the section proposed to be stricken out, by striking out the word "eighteen" and inserting "twenty," and striking out the word "thirty" and inserting "thirty-five," so that the classes would be from twenty to thirty-five, and from thirty-five to forty-five; and the amendment was agreed to. Mr. Nesmith's motion to strike out the third section was lost.

Mr. Doolittle moved to amend the first section by adding that persons of foreign birth who should have declared on oath their intention to become citizens, and who should have exercised the privileges of citizens by voting in the United States, should be deemed to be citizens of the United States within the meaning of the act. The amendment was opposed by Mr. Howard, of Michigan, and Mr. Davis, of Kentucky, and rejected. Mr. Harris, of New-York, moved to amend the bill by adding, "persons who, being from scruples of conscience averse to bearing arms, are, by the constitution of any State, excused therefrom." Mr. McDougall, of California, declared that the obligation rested equally upon all, and the law should apply to all. Mr. Clark, of New-Hampshire, would exempt those whose religious feelings would be shocked if compelled to bear arms. Mr. Ten Eyck, of New-Jersey, thought the amendment did not go far enough. Mr. Lane, of Indiana, said the effect of the amendment would be unequal and unjust. Mr. Sumner moved to modify Mr. Harris's amendment so as to exempt the clergy. Mr. McDougall hoped the Senator from Massachusetts would not include the Methodist clergy, as they were a fighting clergy. Mr. Howard thought the loyal clergy were the most fighting portion of the people. Mr. Wilson would not exempt lawyers or clergymen. Mr. Davis would say to all of them: "Fight, pay, or emigrate." Mr. Henderson, of Missouri, would excuse nobody. Mr. Harris then withdrew his amendment. Mr. Sumner moved to exempt ministers of the Gospel. The amendment was supported by Mr. Sumner and Mr. Morrill, and opposed by Mr. McDougall, Mr. Wilson, Mr. Harris, and Mr. Henderson, and rejected.

The bill was then reported to the Senate as amended. The amendment exempting governors and judges was lost—yeas, seventeen; nays, nineteen; and the amendment giving States credit for persons furnished to the navy was non-concurred in—yeas, eleven; nays, twenty-five.

Other amendments made as in Committee of the Whole were concurred in. Mr. Wilkinson moved to exempt members of Congress, governors, and judges of the several States; but the motion was lost—yeas, sixteen; nays, twenty. Mr. Lane, of Kansas, moved to strike out of the classes exempted, the Vice-President, the Judges of the United States, and the heads of the various executive departments—yeas, fourteen; nays, twenty-two; so the amendment was rejected.

Mr. McDougall moved to amend by adding to the first section that all able-bodied male citizens of the United States, and persons of foreign birth, who should have declared on oath their intention to become citizens, under and in pursuance of the laws thereof, between the ages of eighteen and forty-five years, except as hereinafter excepted, were hereby declared to constitute the national forces—yeas, twenty-seven; nays, nine; so the amendment was agreed to.

Mr. Wilson said the bill was a good one, and he proposed to put it in operation by adding, as a new section, that the President of the United States was authorized and empowered, during the present rebellion, to call forth the national forces by draft in the manner provided for in this act. The amendment was agreed to without a division. Mr. Cowan moved to strike out in the eleventh section the words, "three years or during the war," and insert "one year"—yeas, ten; nays, twenty-six. Mr. Harris then moved to strike out the words "three years," and insert "two years;" but the amendment was rejected. The bill was then passed without a division.

In the House, on the twenty-third of February, the Speaker stated the business to be the consideration of the Senate bill for enrolling and calling out the national forces. Mr. Olin, of New-York, moved to refer the bill to the Committee on Military Affairs. Mr. Holman, of Indiana, suggested that the bill be read by clauses for amendment, and that the discussion should be confined to amendments. Mr. Vallandigham objected to that mode of proceeding. Mr. Wickliffe, of Kentucky, moved to amend the motion of Mr. Olin to commit the bill to the Military Committee, by instructing the Committee to report it back with a proviso, that it should be the duty of the commander of troops at any post, in any State, on the days of election by the citizens of such State, held for the purpose of electing State officers, or officers of the United States, or Representatives in Congress, or electors for the President or Vice-President, to remove and keep his troops at least one mile from the place of voting during said election. Mr. Cox moved to amend by adding a proviso, that no one should be enrolled under this act except able-bodied white citizens of the United States. Mr. Biddle, of Pennsylvania, did not "know a district in Pennsylvania where the Pro-  
vost-Marshall, this little military despot, can exercise over free-born citizens the sway that is claimed for him." Mr. Campbell, of Pennsylvania, declared his readiness "to vote the last man and the last dollar for the accomplishment of the great object before us. I am ready to fight it out

by land and by sea, as long as may be necessary to crush out the rebels themselves, and all their sympathizers at home and abroad." Mr. Wright, of Pennsylvania, was not opposed to the spirit of the bill, but he thought some of its provisions in conflict with the Constitution, and he desired to amend it. Mr. Sargent, of California, was in favor of the bill, "because it distributes equally the burdens of the war, laying them as well upon the lukewarm friends or the open opponents of the Government as upon the true and faithful; because it prevents the possibility of demagogues, who seek the ruin of the republic, longer preventing the enlistment of soldiers to fight this great battle of freedom." Mr. Sheffield, of Rhode Island, thought the law would put to a severe test the loyalty of the people; in their submission to its provisions was involved the question of their devotion to their country. Mr. White, of Ohio, bitterly denounced the bill as an arbitrary measure. Mr. Vallandigham denounced the bill as a measure "to abrogate the Constitution, to repeal all existing laws, to destroy all rights, to strike down the judiciary, and erect upon the ruins of civil and political liberty a stupendous superstructure of despotism." Mr. Bingham, of Ohio, replied to Mr. Vallandigham in a speech of great power. Mr. Voorhees, of Indiana, declared that the administration would deceive the country no more, nor coerce or intimidate it with its measures.

On the twenty-fourth, the debate was resumed by Mr. Mallory, of Kentucky, in opposition to the passage of the bill. Mr. Dunn, of Indiana, declared that the necessity was upon us to pass a bill of this character. Mr. Pendleton, of Ohio, and Mr. Wickliffe, of Kentucky, spoke in opposition to the passage of the bill. Mr. Stevens, of Pennsylvania, advocated the passage of the measure with some amendments. Mr. Steele, of New-York, objected to the bill "as one of a series of measures which centralize power in the Federal Government." Mr. S. C. Fessenden, of Maine, and Mr. Kelley, of Pennsylvania, advocated the measure, and Mr. Cox, of Ohio, and Mr. Norton, of Missouri, opposed it. On the twenty-fifth, Mr. Thomas, of Massachusetts, opened the debate in favor of the passage of the bill: "You die," he said, "without this measure; you can no more with it, except you die as cowards die, many times." Mr. Crittenden, of Kentucky, followed in opposition to the measure. "A negro army," he declared, "is a weakness in your country. It unnerves the white man's hand; it unnerves the white man's heart. White men will not fight by the side of negroes."

Mr. Olin moved to amend the bill by striking out of the seventh section the words, "to inquire into and report to the Provost-Marshal General all treasonable practices; to detect, seize, and confine spies of the enemy," and inserting in lieu thereof, "To detect, seize, and confine spies of the enemy, who shall, without unreasonable delay, be delivered to the custody of the general commanding the district in which they may be arrested, to be tried as soon as the exigencies of the service permit;" and the amendment was

agreed to. On motion of Mr. Olin the bill was amended by adding as a new section, that all persons who, in time of war or of rebellion against the supreme authority of the United States, should be found lurking or acting as spies in or about any fortification, post, or encampment of any of the armies of the United States or elsewhere, should be triable by military commission, and, upon conviction, should suffer death. Mr. Cox moved to insert the word "white" before "able-bodied." Mr. Lovejoy demanded the yeas and nays, and they were ordered—yeas, fifty-two; nays, eighty-five.

Mr. Holman, of Indiana, moved to amend by inserting as a substitute a new bill of eleven sections—yeas, forty-five; nays, one hundred and seven; so Mr. Holman's amendment was rejected. The bill was then passed—yeas, one hundred and fifteen; nays, forty-eight.

On the twenty-eighth, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the House amendments. Mr. Bayard, of Delaware, moved the indefinite postponement of the bill, and spoke at length against its provisions. Mr. McDongall, of California, followed in support of the bill. Mr. Turpie, of Indiana, declared that "the opposition to this measure was made because it was palpably in violation of the Constitution of the United States." Mr. Carlisle spoke in opposition to the measure. Mr. Hicks, of Maryland, spoke for the bill, and Mr. Kennedy, of the same State, against it. Mr. Davis and Mr. Powell, of Kentucky, Mr. Richardson, of Illinois, and Mr. Saulsbury, of Delaware, spoke in opposition to the bill. The question was then taken on Mr. Bayard's motion to indefinitely postpone it, and it was lost—yeas, eleven; nays, thirty-five. The several amendments of the House were then concurred in, and the bill was approved by the President on the third of March, 1863.

No. XLVI.—*The Act to amend an Act entitled "An Act to authorize the Employment of Volunteers to aid in Enforcing the Laws, and Protecting Public Property," approved July twenty-second, 1861.*

In the Senate on the twenty-fourth of February, 1863, Mr. Howe, of Wisconsin, from the Committee on Pensions, reported a bill to amend the act to authorize the employment of volunteers, approved the twenty-second of July, 1861. The bill provided that every non-commissioned officer, private, or other person who had been, or might thereafter be, discharged from the army within two years from the date of his enlistment, by reason of wounds received in battle, should be entitled to receive the same bounty as was granted, or might be granted, to the same class of persons who were discharged after a service of two years. It was read three times, engrossed, and passed without a division. In the House, on the second of March, it was taken up and passed. It was approved by the President on the third of March, 1863.

No. XLVII.—*The Joint Resolution giving the Thanks of Congress to Major-General William S. Rosecrans and the Officers and Men under his Command, for their Gallantry and Good Conduct in the Battle of Murfreesboro, Tennessee.*

In the Senate, on the eighth of January, 1863, Mr. Wilson introduced a joint resolution, giving the thanks of Congress to Major-General William S. Rosecrans, and the officers and men under his command, for their gallantry and good conduct at the battle of Murfreesboro, Tennessee, which was read twice and referred to the Military Committee.

On the twenty-first, Mr. Wilson reported it back without amendment. It presents the thanks of Congress to Major-General William S. Rosecrans, and, through him, to the officers and men under his command, for their distinguished gallantry and good conduct at the battle of Murfreesboro, Tennessee, where they achieved a signal victory for our arms; and the President of the United States was requested to cause the foregoing resolution to be communicated to Major-General Rosecrans, in such terms as he may deem best calculated to give effect to it.

On the twenty-seventh of February, Mr. Wilson called up the resolution, which had not been acted upon because the official report of the battle had not been received. The report had been received, and the resolution was taken up and passed.

The House of Representatives, on the second of March, took up and passed the joint resolution, and it was approved on the third of March, 1863.

No. XLVIII.—*The Bill providing for the Organization of the Signal Corps.*

In the Senate, on the ninth of February, Mr. Lane, of Indiana, from the Committee on Military Affairs, reported a bill to provide for the organization of a Signal Corps to serve during the war, which was read twice, and ordered to be printed, with the report accompanying it. On the nineteenth, on motion of Mr. Lane, of Indiana, the bill was taken up, considered and passed.

In the House, on the second of March, the bill was taken up and read twice; and on motion of Mr. McPherson, it was amended by adding five new sections, providing, that paymasters be required, when informed by soldiers of the loss of allotment checks, to forward the information to the United States Sub-Treasurer in the city of New-York. That there may be appointed fifty surgeons and two hundred and fifty assistant-surgeons of volunteers. That section two of the act approved March third, 1849, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States," should be construed to include steamboats and other vessels, and railroad engines and cars. That no steamboat, nor the master or owner of any steamboat, should be

liable to any of the penalties prescribed by existing laws, nor be liable to any person or persons for any injury or damage that may result, for transporting gunpowder, or any materials which ignite by friction, or oils or other explosive burning fluids, when such transportation should be done in the service of the Government. That part of the sixth section of the act to authorize the employment of volunteers, approved July twenty-second, 1861, which secures to the widows of such volunteers as die or may be killed in service, a bounty of one hundred dollars, should not be construed to apply to any widow of any soldier dying or killed in service who may have wilfully, maliciously, and without just provocation, deserted her husband before he entered such service. On motion of Mr. Dunn, of Indiana, the bill was so amended as to provide, that the laws heretofore passed relating to the pay of the volunteers and militia called into the service since the first day of April, 1861, should be so construed as to allow payment to such volunteers and militia to commence as follows: to the enlisted men from the date of their individual enrollment or enlistment, and to the non-commissioned officers from the date at which they were mustered into service, the date of their entering upon actual service in the field, or the date of the organization of their respective companies or regiments, in the manner prescribed by the general orders of the War Department, whichever of those dates should in point of time first occur.

Mr. Holman, of Indiana, moved to amend the bill by adding a new section, providing that the pay of privates in the service of the United States should, after the first day of March, 1863, be fifteen dollars per month; and it was agreed to—yeas, eighty-four; nays, forty-six. On motion of Mr. Wright, of Pennsylvania, it was further amended by adding three sections, providing that the President, the Secretary of War, and the Surgeon-General be authorized to purchase one or more site or sites for the purpose of erecting suitable hospital buildings for the accommodation of poor, disabled, discharged soldiers of the army or of the volunteer service, and to be paid for, as well as the cost of the improvements and buildings, out of the appropriation of two million dollars made by an act entitled "An act making appropriations for the support of the army," approved fifth July, 1862. That the President, Secretary of War, and Surgeon-General were authorized to make rules and regulations as to the management, control, and superintendence of said hospitals. That the soldiers who may be entitled, under rules and regulations, to be placed in the hospitals, should be fed, clothed, and carefully provided for, at the cost of the Government of the United States, so long as they were disabled and incompetent to procure a living, or had not the means of self-support: *Provided*, that no soldier during the time he might reside in the said hospital or home should be entitled to receive any pension. The bill, as amended, was then passed. The amendments of the House were not acted upon by the Senate.

No. XLIX.—*The Bill authorizing the Brevetting of Volunteer Officers.*

In the Senate, on the eighteenth of February, 1863, Mr. Lane, of Indiana, from the Military Committee, reported a bill to authorize the breveting of volunteer and other officers, which was read and passed to a second reading. On the twenty-fifth, the Senate, on motion of Mr. Lane, proceeded to the consideration of the bill. It proposed to authorize the President, by and with the advice and consent of the Senate, to confer brevet rank upon such commissioned officers of the volunteer and other forces in the United States service as had been, or might thereafter be, distinguished by gallant actions or meritorious conduct; which rank should not entitle them to any increase of pay or emoluments. The bill was passed without amendment. In the House, on the second of March, it was taken up, read three times, and passed without amendment, and approved by the President on the third day of March, 1863.

No. L.—*The Bill to promote the Efficiency of the Corps of Engineers, and of the Ordnance Department, and for other purposes.*

In the House, on the thirteenth of June, 1862, Mr. Dunn, of Indiana, from the Committee on Military Affairs, reported a bill to promote the efficiency of the corps of engineers, and of the commissary department, which was read twice, and its further consideration postponed. On the twenty-fourth, it was considered and recommitted, on motion of Mr. Dunn, to the Military Committee, with leave to report at any time. On the ninth of July, Mr. Dunn reported it back with amendments, which were concurred in, and the bill passed. The Senate, on the eleventh, referred it to the Military Committee, but no action was taken at that session.

In the Senate, on the thirteenth of February, Mr. Wilson introduced a bill to reorganize the corps of engineers, which was read twice, and referred to the Military Committee. On the seventeenth, Mr. Wilson reported back with an amendment. It was taken up for consideration on the twenty-sixth. It proposed to abolish the corps of topographical engineers, and to merge it into the corps of engineers, which were to have one chief engineer, with the rank, pay, and emoluments of a major-general; two inspectors-general of fortifications, with the rank, pay, and emoluments of brigadier-generals; five colonels, ten lieutenant-colonels, twenty majors, thirty captains, thirty first lieutenants, and ten second lieutenants. The general officers provided were to be selected from the corps of engineers, and officers of all lower grades were to take rank according to their respective dates of commission in the existing corps of engineers or corps of topographical engineers. No officer of the corps of engineers was thereafter to be promoted to a higher grade before having passed a satisfactory examination before a board of three engineers, senior to him in rank; and should the officer fail at the examination, he was to be suspended from promotion for one year, when he should be reexamined, and, upon a second failure, should be dropped by the President from the army.

amined, and, upon a second failure, should be dropped by the President from the army.

The Committee on Military Affairs reported as an amendment that there should be added to the ordnance department, one lieutenant-colonel, two majors, four captains, four first lieutenants, and eight second lieutenants. That there should be added to the officers in the quartermaster's department, by regular promotion, one colonel, four lieutenant-colonels, and eight majors; that the increase of rank and officers, and in the number of officers provided in sections four and five of the act should continue only during the existence of the present rebellion, and one year thereafter. The amendment was agreed to.

Mr. Kennedy, of Maryland, moved to amend, by adding, that the President be authorized to confer upon the senior officer of the marine corps, the rank, pay, and emoluments of brigadier-general in lieu of the office of colonel commandant, and that the office of colonel commandant be abolished; and the amendment was agreed to. Mr. Grimes moved to lay the bill on the table—yeas, seven, nays, twenty-eight. On motion of Mr. Wilson, the amendment of Mr. Kennedy was reconsidered; but was agreed to—yeas, twenty-two; nays, thirteen. Mr. Wilson then moved to lay the bill on the table, as he could not vote for it after the adoption of Mr. Kennedy's amendment; but the motion was lost—yeas, fourteen, nays, twenty. On motion of Mr. Wilson, the bill was then recommitted, and not again reported.

In the Senate, on the twenty-first of January, 1863, Mr. Wilson, from the Military Committee, reported the House bill referred to the Committee on the eleventh of June, 1862. On the thirteenth of February, on motion of Mr. Wilson, it was recommitted; and on the twenty-eighth, Mr. Wilson reported it back with an amendment as a substitute.

On the second of March, the Senate proceeded to consider the substitute. It proposed to strike out all of the House bill and insert: "That the corps of topographical engineers, as a distinct branch of the army, is abolished, and is merged into the corps of engineers, which shall have one chief-engineer, with the rank, pay, and emoluments of a brigadier-general; four colonels, ten lieutenant-colonels, twenty majors, thirty captains, thirty first lieutenants, and ten second lieutenants. That the general officer provided shall be selected from the corps of engineers as established, and that officers of all lower grades shall take rank according to their respective dates of commission in the existing corps of engineers or corps of topographical engineers. That no officer of the corps of engineers, below the rank of a field-officer, shall hereafter be promoted to a higher grade, before having passed a satisfactory examination before a board of three engineers, senior to him in rank; and should the officer fail at said examination, he shall be suspended from promotion for one year, when he shall be reexamined, and, upon a second failure, shall be dropped by the President from the army. That

there shall be added to the ordnance department, one lieutenant-colonel, two majors, four captains, four first lieutenants, and eight second lieutenants; the additional officers herein authorized to be appointed by promotion, so far as the present officers of the ordnance corps will permit; and the residue to be appointed by transfers from other regiments or corps of the army. That there be added to the officers now in the quartermaster's department of the army, by regular promotion therein, one colonel, two lieutenant-colonels, and four majors, who shall have the same rank in said department as other officers of like grade therein. That the increase of rank of officers and in the number of officers provided for in this act shall continue only during the existence of the present rebellion and one year thereafter; excepting, however, the ordinary increase of grade by ordinary promotion, independent of the provisions of this act. That section two of the act approved March third, 1849, entitled 'An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States,' shall be construed to include steamboats and other vessels, and 'railroad engines and cars,' in the property to be allowed and paid for when destroyed or lost under the circumstances provided for in said act. That the forces authorized to be received into the service by the twelfth section of the act approved the seventeenth of July, 1862, entitled 'An act to amend the act calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion, approved February twenty-eighth, 1795, and the act amendatory thereof, and for other purposes,' shall be officered by persons appointed and commissioned by the President, and governed by the rules and articles of war. That all payments of advance-bounty made to enlisted men who have been discharged before serving out the term required by law for its payment in full, shall be allowed in the settlement of the accounts of the paymasters at the treasury; but hereafter, in all such cases, the amount so advanced shall be charged against the enlisted men, unless the discharge be upon surgeon's certificate for wounds received or sickness incurred since their last enlistment. That upon any requisition hereafter being made by the President for militia, any person who shall have volunteered or been drafted for the service for the term of nine months, or a shorter period, may enlist into a regiment from the same State to serve for the term of one year, and any person so enlisting shall be entitled to and receive a bounty of fifty dollars, to be paid in time and manner provided by the act of July twenty-second, 1861, for the payment of the bounty provided for by that act." Mr. Grimes moved to strike out the fifth and sixth sections, relating to the quartermaster's department, and the continuance of the ranks of officers one year after the close of the rebellion; and the amendment was agreed to—yeas, twenty-two, nays, fourteen. On motion of Mr. Harris, the substitute was amended, by adding, that no officer of the ordnance de-

partment below the rank of field-officer should be promoted or commissioned to a higher grade, nor should any officer of the army be commissioned as an ordnance officer, until he should have passed a satisfactory examination before a board of not less than three ordnance officers, senior to himself in rank. Mr. Harris moved to amend the substitute, so as to increase the captains and first lieutenants of the ordnance department, "eight" each instead of "four" each; and the amendment was agreed to.

Mr. Anthony moved to add an additional section, relieving the members of the Friends from draft; and he supported his amendment in an earnest speech. It was opposed by Mr. Richardson, Mr. Lane, of Kansas, and Mr. Cowan, and lost—yeas, fourteen; nays, twenty-two. On motion of Mr. Wilson, the substitute was amended, by adding four new sections, providing that the officers of the medical department should unite with the line officers of the army in supervising the cooking within the same, as an important sanitary measure, and that it should promulgate to its officers such regulations and instructions as might tend to insure the proper proportion of the ration of the soldier. That cooks should be detailed in turn from the privates in each company of troops in the service, at the rate of one cook for each company numbering less than thirty men, and two cooks for each company numbering over thirty men, who should serve ten days each. That the President should be authorized to cause to be enlisted for each cook two under-cooks of African descent, who should receive for their full consideration ten dollars per month, and one ration per day; three dollars of said monthly pay might be in clothing. That the army rations should hereafter include pepper, in the proportion of four ounces for every one hundred rations.

Mr. Sherman moved to amend, by providing that the increase of the rank and number of officers should continue only during the rebellion and one year after; and the amendment was adopted. Mr. Richardson, of Illinois, moved to strike out the eighth section of the substitute, providing that the colored troops should be officered by men appointed and commissioned by the President. The amendment was opposed by Mr. Wilson, and Mr. Lane, of Kansas, and rejected. The substitute as amended was agreed to. Mr. Trumbull moved to amend, by adding a section repealing the three hundred dollar commutation clause of the enrolment act not then approved. After debate it was rejected—yeas, ten; nays, twenty-five. Mr. Davis moved to amend, by adding a section declaring that no negro, free or slave, should be enrolled in the military, marine, or naval service of the United States; but it was rejected—yeas, twelve; nays, twenty-three. Mr. Powell then moved that no person of African descent should be commissioned or hold an office in the army—yeas, eighteen; nays, seventeen. Mr. Lane, of Kansas, moved to amend, by adding to Mr. Powell's amendment, the words "except company officers in com-

nies composed exclusively of persons of African descent;" and the amendment was agreed to—yeas, nineteen; nays, seventeen. Mr. Wilson said he was satisfied that the bill would not go through Congress with the section in it, and he moved to strike it out, and the motion was agreed to. Mr. Richardson demanded the yeas and nays on the passage of the bill, and they were ordered, and resulted—yeas, twenty-six; nays, ten. On motion of Mr. Wilson, the title was amended so as to read: "An act to promote the efficiency of the corps of engineers and of the ordnance department, and for other purposes." The House concurred in the amendments of the Senate; so the bill was passed, and approved by the President on the third of March, 1863.

*No. LI.—The Bill to increase the Number of Major-Generals and Brigadier-Generals.*

In the Senate, on the tenth of February, 1863, Mr. Wilson, of Massachusetts, reported from the Committee on Military Affairs a bill to authorize an increase in the number of major-generals and brigadier generals, which was read and passed to a second reading. On the eleventh, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the bill. It authorized in addition to the four major-generals and nine brigadier-generals for the regular army, and the forty major-generals and two hundred brigadier-generals for the volunteer service, the appointment of thirty major-generals and seventy brigadier-generals of volunteers. On motion of Mr. Grimes, the yeas and nays were ordered on the passage of the bill. Mr. Grimes and Mr. Carlisle opposed its passage.

On the twelfth, the Senate resumed the consideration of the bill. Mr. Fessenden moved to strike out the word "thirty" and insert "twenty," as the number of major-generals, and to strike out the word "seventy" and insert "fifty," as the number of brigadier-generals. The amendment was supported by Mr. Fessenden, Mr. Trumbull, Mr. Rice, and Mr. Carlisle, and opposed by Mr. King, Mr. Wilson, and Mr. Lane, of Kansas, and agreed to—yeas, twenty-four; nays, thirteen.

Mr. Trumbull moved to amend by adding at the end of the bill the words, "beyond which number as authorized by this act and the laws herein referred to, no general shall be appointed in any branch of the public service;" and the amendment was agreed to. Mr. Powell moved to recommit it to the Military Committee; but the motion was rejected. The bill was then passed—yeas, twenty-two; nays, fourteen.

In the House, on the twenty-first, the bill, on motion of Mr. Olin, was referred to the Military Committee. On the twenty-sixth, Mr. McPherson, from that Committee, reported it back with amendments. The first amendment reported by the Military Committee was to strike out the word "twenty" and insert "forty," so as to increase the number of major-generals forty instead of twenty; and it was agreed to—yeas, eighty-eight; nays, fifty-three. The second

amendment was to increase the number of brigadier-generals one hundred instead of fifty, as proposed by the Senate; and it was agreed to—yeas, ninety-one; nays, forty-eight. The third amendment proposed to strike out the amendment moved by Mr. Trumbull, forbidding the appointment of any generals not provided for by law; and it was agreed to—yeas, seventy; nays, sixty-seven. Mr. Cox moved to amend it by adding that the President should appoint no one except for gallant and meritorious service in the field; and the amendment was agreed to—yeas, ninety-two; nays, forty-one. The bill was then passed—yeas, one hundred and two; nays, thirty-five.

In the Senate, on the twenty-seventh, Mr. Wilson moved that the Senate disagree to the House amendment, and ask a committee of conference. The motion was agreed to, and Mr. Wilson, Mr. Cowan, and Mr. Latham were appointed managers on the part of the Senate. On motion of Mr. McPherson, of Pennsylvania, the House insisted on its amendments, agreed to the committee of conference, and appointed Mr. McPherson, Mr. Dunn, of Indiana, and Mr. Malory, of Kentucky, managers on its part.

In the Senate, Mr. Wilson from the committee of conference reported that the Senate concur in the first amendment of the House, to increase the number of major-generals "forty" instead of "twenty," with an amendment making the number "thirty"; that the Senate concur in the amendment of the House to increase the number of brigadier-generals "one hundred" instead of "fifty," with an amendment making the number "seventy-five"; that the Senate concur in the third amendment of the House, striking out the words, "forbidding the appointment of any generals not provided for by law;" and that the Senate concur in the fourth amendment of the House with an amendment so as to make it read: "That the officers to be appointed under this act shall be selected from those who have been conspicuous for gallant or meritorious conduct in the line of duty." The Senate concurred in the report.

In the House, on the twenty-eighth, Mr. McPherson, from the committee of conference, made a report. Mr. Cox moved that it be laid upon the table—yeas, thirty; nays, eighty-five; so the House refused to lay the report on the table. The report was then agreed to, and the bill was approved by the President on the second day of March, 1863.

*No. LII.—The Joint Resolution of Thanks to Major-General Ulysses S. Grant, and the Officers and Soldiers who have fought under his Command during the Rebellion; and providing that the President of the United States should cause a Medal to be struck, to be presented to Major-General Grant in the name of the People of the United States of America.*

In the House, on the eighth of December, 1863, Mr. Washburne, of Illinois, by unanimous consent introduced a joint resolution of thanks to

Major-General Ulysses S. Grant, and the officers and soldiers under his command, during the rebellion, and providing that the President of the United States should cause a medal to be struck, to be presented to Major-General Grant in the name of the people of the United States. The resolution was passed unanimously.

In the Senate, it was referred to the Military Committee, and on the sixteenth, Mr. Wilson reported it without amendment. The resolution directs "that the thanks of Congress be presented to Major-General Ulysses S. Grant, and through him to the officers and soldiers who have fought under his command during this rebellion, for their gallantry and good conduct in the battles in which they have been engaged; and requests the President of the United States to cause a gold medal to be struck, with suitable emblems, devices, and inscriptions, to be presented to Major-General Grant. When the medal shall have been struck, the President is to cause a copy of the joint resolution to be engrossed on parchment, and to transmit it, together with the medal, to Major-General Grant, to be presented to him in the name of the people of the United States of America. A sufficient sum of money to carry this resolution into effect is appropriated out of any money in the Treasury not otherwise appropriated." Mr. Wilson asked that the joint resolution should be put upon its passage. Mr. Fessenden asked if the Military Committee had made "any examination to ascertain what sum may be necessary to carry the resolution into effect." Mr. Wilson replied that "the Committee did not know what sum it would be necessary to appropriate, and it was thought best to leave the matter to the discretion of the authorities." The joint resolution was then unanimously passed, and approved by the President on the seventeenth of December, 1863.

No. LIII.—*The Joint Resolution to supply in part Deficiencies in Appropriations for the public Printing, and to supply Deficiencies in the Appropriations for Bounties to Volunteers.*

In the House, on the twenty-first of December, 1863, Mr. Stevens, from the Committee of Ways and Means, reported a joint resolution to supply in part deficiencies in the appropriations for the public printing, and to supply deficiencies in the appropriations for bounties and premiums to volunteers, which was read twice, committed to the Committee of the Whole, and made the special order for two o'clock of that day. The joint resolution appropriated fifty thousand dollars for deficiencies in the appropriations for public printing, and twenty million dollars for the payment of bounties, advance pay, and premiums, for soldiers who volunteered or enlisted in the service of the United States. At two o'clock the House, on motion of Mr. Stevens, resolved itself into Committee of the Whole, Mr. Fenton, of New-York, in the chair. After debate, in which Mr. Stevens, Mr. Brooks, Mr. Cox, Mr. Schenck, Mr. Garfield, Mr. Lovejoy, Mr. Spalding, Mr. Kelley,

and Mr. Strouse participated, the committee, on motion, rose to terminate the debate.

Mr. Harding, of Kentucky, moved to amend by adding, as a provision, that no part of the money aforesaid should be applied to the raising, arming, equipping, or paying of negro soldiers. Mr. Schenck demanded the yeas and nays, and they were ordered, and being taken resulted—yeas, forty-one; nays, one hundred and five; so the amendment was lost. The joint resolution was then passed without a division.

On the twenty-second, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the resolution. Mr. Wilson moved to amend it by striking out the words, "and premiums for soldiers volunteering or enlisting in the service of the United States," so that the clause would read: "That the sum of twenty million dollars, or so much thereof as may be required, be, and the same is hereby, appropriated for the payment of bounties and advance pay." The amendment was agreed to. Mr. Fessenden then moved to amend the resolution by adding a proviso, that no bounties, except such as were provided by law, should be paid to any person enlisted after the fifth day of January, 1865. After debate, in which Mr. Fessenden, Mr. Harris, Mr. Sherman, Mr. Cowan, Mr. Grimes, Mr. Collamer, Mr. Wilson, and Mr. Ten Eyck participated, the vote was taken on the amendment, and it was agreed to—yeas, thirty-five; nays, nine. Mr. Wilson moved to amend by adding as a new section, that the money paid by drafted persons should be paid into the treasury of the United States, and should be drawn out on requisitions, as in the case of other public moneys. The money so paid should be kept in the treasury as a special deposit, applicable only to the expenses of draft and for the procuration of substitutes, for which the same is hereby appropriated. The amendment was agreed to, and the joint resolution as amended was passed.

The House concurred in the amendments, and the joint resolution was approved by the President on the twenty-third of December, 1863.

No. LIV.—*The Joint Resolution to drop from the Rolls of the Army unemployed General Officers.*

In the House, on the eighth of March, 1864, Mr. Schenck, from the Committee on Military Affairs, reported a joint resolution to drop from the rolls of the army unemployed general officers, which was read twice and made the special order for the fifteenth of March. On the sixteenth, the resolution was taken up, debated, and amendments proposed by Mr. Cox, of Ohio, and Mr. Kernan, of New-York. The House, on the seventeenth, on motion of Mr. Ashley, of Ohio, postponed the further consideration of the resolution to the sixth of April. On the eleventh of May, it was taken up, the pending question being on the amendments of Mr. Cox and Mr. Kernan. The amendment of Mr. Cox provided that whenever any officer should demand a court of in-

quiry, such court should be convened; and if the court find him competent to command in the rank to which he is entitled, he should be restored. The amendment was disagreed to—yeas, forty-six; nays, sixty-nine. Mr. Kernan's amendment provided for the appointment of a board of officers, to consist of three major-generals, three brigadier-generals, and three colonels, to examine into the competency, fitness, and efficiency for command of major-generals and brigadier-generals, who should not be in the performance of duty on the first of July, 1864. The amendment was lost—yeas, seventy-two; nays, forty-five. It was referred by the Senate to the Committee on Military Affairs, and not reported.

In the House, on the eighth of December, 1864, Mr. Schenck, from the Committee on Military Affairs, reported a bill to drop from the rolls of the army unemployed major-generals and brigadier-generals, which was read twice and recommitted to the Committee. On the fourteenth, Mr. Schenck from the Military Committee, reported it back with a recommendation that it do pass. It provided that all major and brigadier-generals in the military service, who on the fifteenth day of February, 1865, should not be in the performance of duty or service corresponding to their respective grades or rank, and who should not have been engaged in such duty or service for three months continuously next prior to that date, should be dropped from the rolls of the army. That thereafter, continuously, until the termination of the war, on the last day of each month, after the fifteenth day of February, 1865, the provisions of the bill should be made applicable to any general officer in the military service, who should not, on the last day of any month, have been engaged in the performance of duty or service corresponding to his proper rank for three months consecutively, then next preceding. Mr. Eldridge, of Wisconsin, demanded the yeas and nays, and they were ordered, and the bill passed—yeas, ninety-nine; nays, thirty-eight.

In the Senate, the bill was referred to the Committee on Military Affairs. On the twenty-second, Mr. Wilson reported, that "the Committee are unanimously of the opinion that economy, justice, and the efficiency and general interests of the military service alike demand that where general officers in the regular and volunteer forces of the United States are found to be unfit for commands, and who are consequently unemployed or employed on duty not corresponding to their rank, they should be mustered out of the service, and that the vacancies thus created should be filled by new promotions and appointments, in order that the officers of an inferior grade who are performing the duties proper to such general officers may be promoted to the rank and receive the pay, allowances, and emoluments of such general officers. But the Committee are of opinion that no fixed, inflexible rule of discrimination, such as is embodied in the joint resolution of the House of Representatives, could be adopted and executed consistently with equal and exact justice toward individual officers, and with the inter-

ests of the military service of the country. Justice and the public interests demand that the power to muster general officers out of the service of the United States should be exercised with much discrimination and care. The power of removal and the responsibility of action being now fully and completely vested in the President, the Committee unanimously report against the passage of the joint resolution of the House of Representatives." On the sixth of January, the Senate, on motion of Mr. Wilson, proceeded to consider the bill. Mr. Wilson moved its indefinite postponement. The indefinite postponement of the bill was advocated by Mr. Wilson, Mr. Lane, Mr. Grimes, Mr. Powell, Mr. Henderson, Mr. Hendricks, and Mr. Johnson, and opposed by Mr. Trumbull, Mr. Conness, Mr. Davis, Mr. Howe, and Mr. Farwell. The question was then taken, and the motion was agreed to—yeas, twenty-eight; nays, eight.

No. LV.—*The Joint Resolution expressive of the Thanks of Congress to Major-General Joseph Hooker, and Major-General George G. Meade, and Major-General Oliver O. Howard, and the Officers and Men of the Army of the Potomac.*

In the Senate, on the fourteenth of December, 1863, Mr. Wilson, of Massachusetts, introduced a joint resolution expressive of the thanks of Congress to Major-General Joseph Hooker, and Major-General George G. Meade, and the officers and soldiers of the army of the Potomac, which was read twice and referred to the Military Committee. On the eighth of January, 1864, Mr. Wilson reported it back without amendment. The Senate, on the eighteenth, on motion of Mr. Wilson, proceeded to the consideration of the resolution, which declared that the gratitude of the American people, and the thanks of their representatives in Congress, be tendered to Major-General Joseph Hooker, and the officers and soldiers of the army of the Potomac, for the skill, energy, and endurance which first covered Washington and Baltimore from the meditated blow of the advancing and powerful army of rebels led by General Robert E. Lee; and to Major-General George G. Meade, and Major-General Oliver O. Howard, and the officers and soldiers of that army, for the skill and heroic valor which at Gettysburg repulsed, defeated, and drove back, broken and dispirited, beyond the Rappahannock, the veteran army of the rebellion. Mr. Grimes said: "As I have read the history of that campaign, the man who selected the position where the battle of Gettysburg was fought, and who, indeed, fought it the first day, was General Howard, and to him the country is indebted as much for the credit of securing that victory as to any other person. I wish, therefore, as a recognition of his merits, to couple his name with that of General Meade, in the vote of thanks." He moved to insert after the name of General Meade the name of Major-General Oliver O. Howard, and the amendment was agreed to. The joint resolution as amended then passed without a division.

The House of Representatives, on the twenty-sixth, passed it unanimously; and the President approved it on the twenty-eighth of January, 1864.

No. LVI.—*The Joint Resolution expressive of the Thanks of Congress to Major-General Nathaniel P. Banks, and the Officers and Men under his Command.*

In the Senate, on the fourteenth of December, 1863, Mr. Wilson introduced a joint resolution expressive of the thanks of Congress to Major-General Nathaniel P. Banks, and the officers and soldiers under his command at Port Hudson, which was read twice and referred to the Committee on Military Affairs. On the eighth of January, 1864, Mr. Wilson reported it back without amendment. The Senate, on the eighteenth, on motion of Mr. Wilson, took up the resolution, and it passed unanimously.

In the House, on the twenty-sixth, the resolution, on motion of Mr. Eliot, of Massachusetts, was taken up and passed. The joint resolution tendered the thanks of Congress to Major-General Nathaniel P. Banks and the officers and soldiers under his command, for the skill, courage, and endurance which compelled the surrender of Port Hudson, and thus removed the last obstruction to the free navigation of the Mississippi River; and was approved by the President on the twenty-eighth of January, 1864.

No. LVII.—*The Joint Resolution expressive of the Thanks of Congress to Major-General Ambrose E. Burnside, and the Officers and Men who had fought under him.*

In the Senate, on the fifteenth of December, 1863, Mr. Anthony, of Rhode Island, introduced a joint resolution expressive of the thanks of Congress to Major-General Ambrose E. Burnside, and the officers and soldiers who had fought under him, which was read twice and referred to the Military Committee. On the eighth of January, 1864, Mr. Sprague, of Rhode Island, from the Military Committee, reported it back without amendment. The resolution provided that the thanks of Congress be presented to Major-General Ambrose E. Burnside, and, through him, to the officers and men who had fought under his command, for their gallantry, good conduct, and soldier-like endurance; and that the President of the United States be requested to cause the resolution to be communicated to Major-General Burnside, in such terms as he might deem best calculated to give effect thereto.

On the eighteenth, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the resolution, and it was unanimously adopted. The House of Representatives, on the twenty-sixth, passed it unanimously, and it was approved by the President on the twenty-eighth of January, 1864.

No. LVIII.—*Joint Resolution tendering the Thanks of Congress to Major-General W. T. Sherman.*

In the House, on the eighth of February, 1864,

Mr. Cobb, of Wisconsin, introduced a joint resolution expressive of the thanks of Congress to Major-General W. T. Sherman. The resolution declared that the thanks of Congress and of the people of the United States were due, and that the same be tendered, to Major-General W. T. Sherman, commander of the department and army of the Tennessee, and the officers and soldiers who served under him, for their gallant and arduous services in marching to the relief of the army of the Cumberland, and for their gallantry and heroism in the battle of Chattanooga, which contributed, in a great degree, to the success of our arms in that glorious victory. It was passed without a division.

In the Senate, on the thirteenth, Mr. Lane, of Indiana, from the Committee on Military Affairs, to which the joint resolution had been referred, reported it back without amendment, and it was passed, and approved by the President on the nineteenth of February, 1864.

No. LIX.—*The Bill Reviving the Grade of Lieutenant-General in the United States Army.*

In the House of Representatives, on the fourteenth of December, 1863, Mr. E. B. Washburne, of Illinois, introduced a bill, reviving the grade of lieutenant-general, which was referred to the Committee on Military Affairs. On the twenty-fifth of January, 1864, Mr. Farnsworth, of Illinois, reported it back, with an amendment in the nature of a substitute. The substitute revived the grade of lieutenant-general in the army of the United States, and authorized the President, whenever he should deem it expedient, to appoint, by and with the advice and consent of the Senate, a commander of the army, to be selected, during war, from among the officers in the military service of the United States, not below the grade of major-general, who were most distinguished for courage, skill, and ability, and who should be authorized, under the direction of the President, to command the armies of the United States. By the second section, the lieutenant-general so appointed was to be entitled to the pay, allowances, and staff described in the act of twenty-eighth May, 1798; also to the allowances described in the sixth section of the act approved August twenty-third, 1842; provided that nothing in the bill should be construed to affect in any way the rank, pay, and allowances of Winfield Scott, Lieutenant-General by brevet, then on the retired list of the army.

Mr. Fessenden demanded the previous question; but the motion was lost—yeas, fifty-eight; nays, sixty-six. Mr. Pendleton, of Ohio, moved to postpone the further consideration of the subject for one week, and that the bill and amendment be printed. Mr. Washburne demanded the yeas and nays, and they were ordered—yeas, ninety-three; nays, fifty-six. So the motion to postpone was agreed to.

On the first of February, the House proceeded to the consideration of the bill. The original bill, introduced by Mr. Washburne, provided that

the grade of lieutenant-general be revived in the army of the United States, and the President be authorized, whenever he should deem it expedient, to appoint, by and with the advice and consent of the Senate, a commander of the army, to be selected, during war, from among the officers, not below the grade of major-general, of the regular army, or of volunteers most distinguished by courage, skill, and genius in their profession, and who, being commissioned as lieutenant-general, might be authorized to command the armies of the United States. That the lieutenant-general, appointed as before provided, should be entitled to the pay, allowances, and staff specified in the fifth section of the act approved May twenty-eighth, 1798; and also to the allowances described in the sixth section of the act approved August twenty-third, 1842, granting additional rations to certain officers.

The amendment provided, that the grade of lieutenant-general be revived in the army of the United States; and that the President be authorized, whenever he should deem it expedient, to appoint, by and with the advice and consent of the Senate, a commander of the army, to be selected, during war, from among the officers in the military service of the United States, not below the grade of major-general, most distinguished for courage, skill, and ability; and who, being commissioned as lieutenant-general, should be authorized, under the direction of the President, to command the armies of the United States. That the lieutenant-general appointed, as before provided, should be entitled to the pay, allowances, and staff specified in the fifth section of the act approved May twenty-eighth, 1798; and also the allowances described in the sixth section of the act approved August twenty-third, 1842, granting additional rations to certain officers: *Provided*, that nothing in the bill contained should be construed in any way to affect the rank, pay, or allowances of Winfield Scott, Lieutenant-General by brevet, then on the retired list of the army. Mr. Farnsworth, Mr. Schenck, Mr. Washburne, and Mr. Hubbard advocated the passage of the measure, and Mr. Garfield, Mr. Stevens, and Mr. Boutwell opposed it. Mr. Garfield moved that the bill and amendment be laid upon the table—yeas, nineteen; nays, one hundred and seventeen. Mr. Ross, of Illinois, moved to amend by adding, “And that we respectfully recommend the appointment of Major-General U. S. Grant for the position of lieutenant-general;” and it was agreed to—yeas, one hundred and eleven; nays, forty-one.

In the Senate, on the ninth, Mr. Wilson, from the Military Committee, to which it had been referred, reported it back with amendments. On the eleventh, on motion of Mr. Wilson, the Senate proceeded to its consideration.

The first amendment of the Committee was in line seven, section one, to strike out the words “commander of the army,” and to insert “lieutenant-general;” and in line eight, after the word “selected,” to strike out the words, “during

the war;” so that the clause read: “And the President is hereby authorized, whenever he shall deem it expedient, to appoint, by and with the advice and consent of the Senate, a lieutenant-general, to be selected from among those officers in the military service of the United States, not below the grade of major-general, most distinguished for courage, skill, and ability.” The amendment was opposed by Mr. Trumbull, and supported by Mr. Nesmith and Mr. Johnson, and adopted—yeas, twenty-five; nays, fifteen.

The next amendment of the Committee was in line eleven, after the word “ability,” to strike out the following words: “And who, being commissioned as lieutenant-general, shall be authorized, under the direction of the President, to command the armies of the United States; and that we respectfully recommend the appointment of Major-General U. S. Grant, of Illinois, for the position of lieutenant-general.” The amendment was opposed by Mr. Sherman, Mr. Howe, Mr. Richardson, Mr. Trumbull, Mr. Howard, Mr. Doolittle, and supported by Mr. Wilson, Mr. Nesmith, Mr. Grimes, Mr. Lane, and Mr. Johnson.

On the twenty-fourth, the Senate resumed the consideration of the bill, and Mr. Grimes declared his unalterable opposition to its passage in any shape in which it would be presented to the Senate. Mr. Sherman, Mr. Howe, Mr. Wilkinson, and Mr. Hale made speeches in favor of the bill and against the amendment. Mr. Wilson, Mr. Johnson, and Mr. Fessenden spoke for the amendment; and it was agreed to—yeas, twenty-eight; nays, twelve. Mr. Conness, of California, moved to amend the bill, by inserting after the words “lieutenant-general,” the words, “who shall be commander-in-chief of the armies of the United States, under the direction of the President, and who shall remain in chief command during the pleasure of the President.” Mr. Conness demanded the yeas and nays, and they were ordered—yeas, ten; nays, twenty-eight. So the amendment was rejected. Mr. Howard demanded the yeas and nays on the passage of the bill, and they were ordered. After a speech from Mr. Davis against the bill, it was passed—yeas, thirty-one; nays, six.

On the twenty-fifth, the House, on motion of Mr. Washburne, of Illinois, disagreed to the amendments of the Senate, asked a committee of conference, and appointed Mr. Washburne, Mr. McAllister, of Pennsylvania, and Mr. Fenton, of New-York, managers on its part. The Senate, on the same day, voted to insist on its amendments, agreed to a committee of conference, and appointed Mr. Wilson, Mr. Lane, of Indiana, and Mr. Johnson managers on its part.

On the twenty-sixth, Mr. Wilson, from the committee of conference, reported that the House of Representatives recede from its disagreement to the Senate amendments, and agree to the same with amendments. The report was accepted without a division. Mr. Washburne, from the conference committee,

reported in favor of agreeing to the Senate amendments with amendments. Mr. Cox moved that the report of the committee of conference be laid upon the table—yeas, thirty-six; nays, fifty-nine. The yeas and nays were then taken on accepting the report of the committee of conference; and it was agreed to—yeas, seventy-three; nays, forty-seven. The bill was approved by the President on the twenty-fourth of February, 1864, and General Grant was immediately nominated and confirmed Lieutenant-General.

No. LX.—*The Bill to amend “the Act for Enrolling and Calling out the National Forces.”*

In the Senate, on the fifth of January, 1864, Mr. Wilson, of Massachusetts, introduced a bill to amend an act for enrolling and calling out the national forces, and for other purposes, approved March third, 1863, which was read twice and referred to the Committee on Military Affairs. On the sixth, Mr. Wilson reported it back with amendments.

The bill provided that the President should be authorized to call for such number of men for the military service as the public exigencies should require. That the quota of each ward of a city, town, or township, or of a county, where the county was not divided into wards, towns, or townships, should be in proportion to the number of men liable to render military service, taking into account the number which had been furnished the military and naval service. That if any State should fail to furnish, within the time designated by the President, the number of men required, the provost-marshal of the district within which any ward of a city, town, or township, or county, where the same was not divided into wards, towns, or townships, which was deficient in its quota, was situated, should make a draft for the number deficient. That any person enrolled under the provisions of the act for enrolling and calling out the national forces, or who might be hereafter so enrolled, might furnish, at any time, an acceptable substitute who was not liable to draft. That any person enrolled and drafted might furnish an acceptable substitute, subject to such rules and regulations as might be prescribed by the Secretary of War. That if such substitute is not liable to draft, the person furnishing him should be exempt from draft during the time for which such substitute was not liable to draft; and if such substitute was liable to draft, the name of the person furnishing him should again be placed on the roll. That the commutation money paid by persons drafted in any congressional district should be applied by the War Department for the procurement of substitutes, which substitutes should be credited to that district in filling its quota. That the fourteenth section of the act amended should be amended so as to read: That all drafted persons should, on arriving at the rendezvous, be carefully inspected by the surgeon of the board. That boards of enrolment should have power to enroll any person whose name should have been omitted, and any person arriving at the age of

twenty years, and any person who had not been in the military or naval service of the United States two years during the existing war and honorably discharged; and the boards of enrolment should release from draft any person who, between the enrolment and the draft, should have arrived at the age of forty-five. That whenever a mariner or able seaman should be drafted, he should have the right to enlist in the naval service. That all enlistments into the naval service or into the marine corps, that might be hereafter made of persons liable to service, should be credited to the ward, town, or township, or county, when the same was not divided into wards, towns, or townships, in which such enlisted men were or might be enrolled. That section two of the act for enrolling and calling out the national forces, should be amended by striking out all of the section, and inserting: “That the following persons be excepted and exempted from the provisions of this act, and shall not be liable to military duty under the same, to wit: Such as are rejected as physically or mentally unfit for the service; the Vice-President of the United States, the judges of the various courts of the United States, the heads of the various executive departments, the governors of the several States, and all persons actually in the military or naval service at the time of the draft, or who have been in such service for the term of two years during the present war, and been honorably discharged.” That section third of the act for enrolling and calling out the national forces, and so much of section ten of the act as provided for the separate enrolment of each class, should be repealed. That any person who should forcibly resist or oppose any enrolment, or who should incite, counsel, or encourage to resist or oppose any such enrolment, should be punished by a fine not exceeding five thousand dollars, or by imprisonment not exceeding five years, or by both of the punishments, in the discretion of the court. That the Secretary of War should be authorized to detail or appoint such number of additional surgeons for temporary duty in the examination of persons drafted into the military service, as might be necessary to secure the prompt examination of all drafted persons. That provost-marshals, boards of enrolment, or any member thereof, acting by authority of the board, should have power to summon witnesses, and enforce their attendance. That copies of any record of a provost-marshal or board of enrolment, or of any part thereof, certified by the provost-marshal, or a majority of the board of enrolment, should be deemed and taken as evidence in any civil or military court, in like manner as the original record. That members of religious denominations, who should, by oath or affirmation, declare that they are conscientiously opposed to the bearing of arms, should, when drafted, be considered non-combatants, and should be assigned by the Secretary of War to duty in the hospitals, or to the care of freedmen. That no person of foreign birth should, on account of alienage, be exempted from enrolment or draft, who had at

any time assumed the rights of a citizen by voting at any election held under authority of the laws of any State or Territory, or of the United States, or who had held any office under such laws, or any of them. That all claims to exemption should be verified by the oath or affirmation of the party claiming exemption. That if any person, drafted and liable to render military service, should procure a decision of the board of enrolment in his favor upon a claim to exemption by any fraud or false representation practised by himself or by his procurement, such decision or exemption should be of no effect. That any person who should procure, or attempt to procure, a false report from the surgeon of the board of enrolment concerning the physical condition of any person drafted and liable to render service, or a decision in favor of such person upon a claim to exemption, knowing the same to be false, should, upon conviction, be punished by imprisonment. That the fees of agents and attorneys for making out and causing to be executed any papers in support of a claim for exemption from draft, or for any services that might be rendered to the claimant, should not, in any case, exceed five dollars. That no member of the board of enrolment, and no surgeon detailed or employed to assist the board of enrolment, and no clerk, assistant, or employee of any provost-marshall or board of enrolment should directly or indirectly be engaged in procuring or attempting to procure substitutes for persons drafted, or liable to be drafted into the military service. That any surgeon charged with the duty of inspection, who should receive from any person any money or other valuable thing, for making an imperfect inspection, or a false or incorrect report, and each member of the board of enrolment who should wilfully agree to the discharge from service of any drafted person who was not legally and properly entitled to such discharge, should be tried by a court-martial, and, on conviction, be punished by a fine of not less than three hundred dollars, and not more than ten thousand dollars, should be imprisoned at the discretion of the court, and be cashiered and dismissed the service. That nothing contained in the act should be so construed as to prevent or prohibit the enlistment of men in the States in rebellion under the orders of the War Department.

On the seventh, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the bill, and several amendments reported by the Military Committee were agreed to. A new section, moved by Mr. Grimes, exempting from draft pilots, engineers, and masters-at-arms in the naval service, was adopted. On the eighth, the Senate resumed the consideration of the bill, the pending question being the amendment reported by the Military Committee to repeal the commutation clause of three hundred dollars. Mr. Sumner moved to strike out all after the enacting clause of the amendment and insert: "That no drafted person shall be allowed to furnish a substitute, but he shall be discharged from the draft on paying to such officer as the

Secretary of War may authorize to receive the same, the full sum of three hundred dollars. *And provided further,* That every such person thus discharged shall pay, in addition to the said sum of three hundred dollars, a certain proportion in the nature of a tithe of his annual gains, profits, or income, whether derived from any kind of property, dividends, salary, or from any profession, trade, or employment whatever, according to the following rates, to wit: on all income over six hundred dollars, and not over two thousand dollars, ten per cent; over two thousand dollars, and not over five thousand dollars, twenty per cent; and on all income over five thousand, thirty per cent." Mr. Clark, Mr. Collier, Mr. Wilson, and Mr. Cowan opposed the repeal of the three hundred dollar commutation clause, and Mr. Lane, of Indiana, advocated its repeal.

On the twelfth, the Senate resumed the consideration of the bill. Mr. Sumner proposed to modify his amendment so as to allow a drafted man to furnish a substitute, and to provide that the commutation money be used at the discretion of the Secretary of War to promote enlistments, or for the benefit of enlisted men. After debate, the vote was taken on Mr. Sumner's amendment to the amendment, and it was rejected—yeas, fifteen; nays, twenty-five. Mr. Wilson then moved to strike out all after the enacting clause of the amendment repealing the three hundred dollar commutation provision, and inserting: "That any person enrolled and drafted may pay to such person as the Secretary of War may designate to receive it, three hundred dollars for the procurement of a substitute, and such person so paying three hundred dollars for the procurement of a substitute, shall be exempt from draft until such time as he shall again become liable to draft by reason of the exhaustion of the enrolment from which the draft shall be made; but such exemption shall not exceed the time for which such person shall have been drafted." The debate was further continued by Mr. Howe, Mr. Wilson, Mr. Grimes, Mr. Fessenden, Mr. Johnson, and Mr. Lane, of Kansas.

On the fourteenth, the debate was resumed, and the amendment to the amendment moved by Mr. Wilson having been withdrawn, the vote was taken on the amendment to repeal the commutation clause, and it was rejected—yeas, twelve; nays, twenty-eight. Mr. Sherman moved to amend by adding as a new section: "That any person enrolled and drafted into the military service of the United States, may furnish an acceptable substitute, subject to such rules and regulations as may be prescribed by the Secretary of War. That if such substitute is not liable to draft, the person furnishing him shall be exempt from draft during the time for which such substitute is not liable to draft, not exceeding the term for which he was drafted; and if such substitute is liable to draft, the name of the person furnishing him shall again be placed on the roll, and shall be liable to draft on future calls. And any person now in the military or

naval service of the United States not physically disqualified, who has so served more than one year, and whose term of unexpired service shall not, at the time of substitution, exceed six months, may be employed as a substitute to serve in the troops of the State in which he enlisted; and if any drafted person shall hereafter pay money for the procurement of a substitute, under the provisions of the act to which this is an amendment, such payment of money shall operate only to relieve such person from draft on that call, and his name shall be retained on the roll, and he shall be subject to draft on future calls, and the maximum of commutation under said act shall hereafter be five hundred dollars instead of three hundred dollars." Mr. Anthony, of Rhode Island, moved to amend the amendment by adding as a proviso: "That no person who has been drafted and furnished a substitute or paid commutation as herein provided, shall again be liable to draft until the present enrolment shall be exhausted." The amendment to the amendment was rejected. On motion of Mr. Harris, Mr. Sherman's amendment was amended so as to make the maximum commutation four hundred dollars instead of five hundred dollars. Mr. Howard, of Michigan, moved to amend Mr. Sherman's amendment by striking out the last clause, "and the maximum of commutation shall be four hundred dollars instead of three hundred dollars;" and it was agreed to—yeas, twenty-three; nays, fourteen. Mr. Sherman's amendment as amended was agreed to.

Mr. Howe moved to amend by adding a new section providing that the money received as commutation should be a fund to be equally distributed among men drafted and mustered into the service; but the amendment was rejected. Mr. Dixon moved to amend by adding as a new section: "That all persons recognized as clergymen or ministers of religion by the ecclesiastical authority of the denomination or communion to which they belong, when called into the military service under this act, shall be regarded as non-combatants, and employed as chaplains or in hospitals." Mr. Wilson moved to amend by striking out the amendment and inserting: "That ministers of the Gospel, or members of religious denominations conscientiously opposed to the bearing of arms, and who are prohibited from doing so by the rules and articles of faith and practice of said religious denomination, shall, when drafted into the military service, be considered non-combatants, and shall be assigned by the Secretary of War to duty in the hospitals, or to the care of freedmen, or shall pay the sum of three hundred dollars to such person as the Secretary of War shall designate to receive it, to be applied to the benefit of the sick and wounded soldiers; and such drafted persons shall then be exempt from the draft during the time for which they shall have been drafted." Mr. Dixon accepted the amendment. Mr. Grimes moved to amend the amendment by striking out the words, "ministers of the Gospel or;" and the amend-

ment was agreed to—yeas, twenty-eight; nays, ten. Mr. Doolittle moved to amend by requiring members of religious denominations to make oath that they are conscientiously opposed to bearing arms; and the amendment was agreed to. The amendment as amended was agreed to—yeas, twenty-eight; nays, twelve.

On the fifteenth, the Senate resumed the consideration of the bill. It was reported to the Senate, and the amendments made as in Committee of the Whole agreed to. Mr. Nesmith renewed the motion to repeal the three hundred dollar commutation clause of the enrolment act; but the motion was lost—yeas, fifteen; nays, twenty-four. Mr. Sumner renewed his motion to require drafted persons to pay commutation in proportion to their incomes; but it was lost—yeas, sixteen; nays, twenty-eight. Mr. Doolittle desired to amend the bill so as to make persons who had resided one year in the country and voted, liable to enrolment and draft, and Mr. Trumbull moved to amend by adding: "That no person of foreign birth shall, on account of alienage, be exempted from enrolment or draft, who has at any time assumed the rights of a citizen by voting at any election, or who has held any office; but the fact that any such person of foreign birth has voted or held, or shall vote or hold office, shall be taken as conclusive evidence that he is not entitled to exemption from military service on account of alienage." The amendment was agreed to.

The consideration of the bill was resumed on the sixteenth; debated and amended. On the eighteenth, the bill was further considered, debated, amended, and passed.

In the House, on the fifteenth of January, Mr. Schenck, from the Committee on Military Affairs, to whom the bill had been referred, reported it back with an amendment. On the first of February, the House, on motion of Mr. Schenck, referred it to the Committee of the Whole, and made it the special order until disposed of. The Military Committee reported an amendment to strike out all of the Senate bill after the first section, and insert twenty-five new sections as a substitute. On motion of Mr. Stevens, of Pennsylvania, the original bill was amended so as to provide that persons paying three hundred dollars should be exempted during the time for which they were drafted, unless the enrolment should be exhausted. Mr. Holman, of Indiana, moved to amend so as to repeal the commutation provision. On the second, the debate was renewed by Mr. Schenck, Mr. Chandler, and Mr. Davis, of New-York, Mr. Anderson, of Kentucky, and Mr. W. J. Allen, of Illinois. The House, on the third, resumed the consideration of the bill, and Mr. Myers, and Mr. Williams, of Pennsylvania, addressed the House in its favor, and Mr. Stiles of that State opposed it. Mr. Holman's amendment to strike out of the original bill the commutation clause was rejected—yeas, twenty-six; nays, seventy-three. Mr. Baldwin, of Michigan, moved to amend the bill by striking out the maximum of four hundred dol-

lars instead of three hundred dollars, and it was agreed to.

On the eighth, the bill was amended on motion of Mr. Rice, of Massachusetts, so as to allow soldiers to enlist in the navy. On the ninth, the bill was further discussed and amended. Mr. Stevens, on the tenth, moved to amend the Senate bill by striking out the twenty-seventh section, and inserting that "all able-bodied male persons of African descent, between the ages of twenty and forty-five years, whether citizens or not, resident in the United States, shall be enrolled and form part of the national forces. And when a slave shall have been drafted and mustered into the service of the United States his master shall have a certificate thereof, which shall entitle him to receive three hundred dollars from the United States, and the drafted man shall be free, provided that the slaves of loyal men only shall be paid for." On the eleventh, the House resumed the consideration of the bill, and Mr. Davis, of Maryland, moved to amend Mr. Stevens's amendment by adding: "The Secretary of War shall appoint a commission in each of the slaves States represented in Congress, charged to award a just compensation to each loyal owner of any slave who may volunteer into the service of the United States, payable out of the commutation money." The amendment to the amendment was agreed to. Mr. Baldwin, of Massachusetts, moved to strike out the words "owner of any slave," and insert, "the person to whom the colored persons may owe service;" and the amendment was agreed to. Mr. Webster, of Maryland, moved to insert after the word "certificate," in Mr. Stevens's amendment, the words: "The bounty of one hundred dollars, now payable by law to each drafted man, shall be paid to the person to whom said drafted person owes service at the time of his muster into the service of the United States," and it was agreed to. The amendment of Mr. Stevens was agreed to—yeas, sixty-seven; nays, forty-four.

On the twelfth, the House resumed the consideration of the bill. The previous question, on motion of Mr. Schenck, was ordered—yeas, seventy-eight; nays, fifty-six. Mr. Schenck briefly explained the amendment adopted in Committee of the Whole, and also the substitute of the Military Committee. The amendments adopted in Committee of the Whole were agreed to, with the exception of the twenty-second amendment, on which a separate vote was demanded. That amendment was to strike out the twenty-seventh section, and insert in lieu of it: "All able-bodied male persons of African descent, between the ages of twenty and forty-five years of age, whether citizens or not, resident in the United States, shall be enrolled according to the provisions of the act to which this is a supplement, and form part of the national forces; and when a slave of a loyal citizen shall be drafted and mustered into the service of the United States, his master shall have a certificate thereof. The bounty of one hundred dollars, now payable by law for each drafted man, shall be paid to

the person to whom such drafted person owes service or labor at the time of his muster into the service of the United States, on freeing the person. The Secretary of War shall appoint a commission in each of the slaves States represented in Congress, charged to award a just compensation, not exceeding three hundred dollars, to each loyal person to whom the colored volunteer may owe service, who may volunteer into the service of the United States, payable out of the commutation money, upon the master freeing the slave." The amendment was agreed to. The vote was then taken on the substitute, which was in substance the Senate bill with the House amendments, and it was concurred in. Mr. Holloman demanded the yeas and nays on the passage of the bill, and being taken, resulted—yeas, ninety-four; nays, sixty; so the bill was passed by the House.

On the fifteenth, the Senate, on motion of Mr. Wilson, disagreed to the House amendments, and the House, on the sixteenth, insisted on its amendments, asked a committee of conference, and the speaker appointed Mr. Schenck, Mr. Kernan, of New-York, and Mr. Deming, of Connecticut, managers on the part of the House. The Senate insisted on its disagreement to the House amendments, agreed to a committee of conference, and Mr. Wilson, Mr. Nesmith, and Mr. Grimes were appointed managers. On the eighteenth, Mr. Wilson, from the committee of conference, made a report, which was ordered to be printed. The report, in substance, agreed to the Senate bill with some of the amendments of the House. The twenty-sixth section of the amendment of the House provided that masters, on freeing their slaves, should receive the commutation money. This provision permitted the master to claim the colored soldier as his slave after being mustered into the army. The committee of conference, on motion of Mr. Wilson, provided that every colored soldier, on being mustered into the service of the United States, should be free. On the nineteenth, the Senate agreed to the report of the conference committee—yeas, twenty-six; nays, sixteen. The House agreed to the report of the committee—yeas, seventy-one; nays, twenty-three. The bill was approved by the President on the twenty-fourth of February, 1864.

No. LXI.—*The Joint Resolution relative to the Transfer of Persons in the Military to the Naval Service.*

In the Senate, on the eighteenth of February, 1864, Mr. Conness, of California, introduced a joint resolution relative to the transfer of persons in the military to the naval service; it was read twice, and, by unanimous consent, considered as in committee of the whole. The resolution proposed to direct the Provost-Marshal General to enlist such persons as might desire to enter the naval service of the United States, under such directions as might be given by the Secretary of War and the Secretary of the Navy; and these enlistments were to be credited to the appropri-

ate district; but inasmuch as they received prize money, they were not to be entitled to any bounty. The President, whenever in his judgment the public service might require it, could transfer persons who had been employed in sea service, and were enlisted in the army, from their regiments to the naval service, upon such terms and according to such rules and regulations as might be prescribed; but the number of transfers from any company or regiment was not to be so great as to reduce it below the minimum strength required by the regulations of the military service, and the sums paid to such persons as bounty for entering the military service, were to be transferred from the naval recruiting fund to the credit of the proper appropriation for the land service. Mr. Conness stated that the joint resolution was prepared in accordance with the judgment of the Executive, of the Navy Department, and of the War Department. Mr. Grimes moved to amend the resolution by adding: "That there shall be paid to each enlisted able or ordinary seaman an advance, as a bounty, of three months' pay, to be refunded to the treasury from any prize money to which such enlisted man may hereafter be entitled." The amendment was agreed to, and the bill as amended passed.

On motion of Mr. Higby, of California, the House referred the resolution to the Committee on Military Affairs, with leave to report at any time. On the nineteenth, Mr. Deming, of Connecticut, from the Military Committee, reported the resolution without amendment, and it was passed without a division. It was approved by the President on the twenty-fourth of February, 1864.

#### No. LXII.—*The Bill to establish a Uniform System of Ambulances in the United States.*

In the Senate, on the twenty-third of December, 1863, Mr. Wilson, of Massachusetts, introduced a bill to establish a uniform system of ambulances in the army, which was read twice, and referred to the Military Committee. On the twentieth of January, 1864, Mr. Wilson reported it back with amendments. The bill provided that the chief medical officer of each army corps, should, under the control of the medical director of the army to which such army corps belonged, have the supervision of all ambulances, and of all officers and men who might be detailed or employed to assist him, in the army corps in which he might be serving. That the commanding officer of each army corps should detail officers and enlisted men for service in the ambulance corps, namely, one captain, one first lieutenant for each division, one second lieutenant for each brigade, one sergeant for each regiment, three privates for each ambulance, and one private for each wagon; the officers, non-commissioned officers, and privates detailed for each army corps to be examined by a board of medical officers of such army corps as to their fitness for such duty. That there should be furnished to each army corps two-horse ambulances, upon the basis of three to each regiment of infantry of five

hundred men or more; two to each regiment of infantry of more than two hundred and less than five hundred men or more; and one to each regiment of infantry of less than two hundred men; two to each regiment of cavalry of five hundred men or more; and one to each regiment of cavalry of less than five hundred men; one to each battery of artillery—to which battery of artillery it should be permanently attached; to the headquarters of each army corps, two such ambulances; and to each division train of ambulances two army wagons; and ambulances should be furnished to division brigades and commands not attached to any army corps upon the same basis; each ambulance to be provided with such number of stretchers and other appliances as should be prescribed by the Surgeon-General. That the captain should be the commander of all the ambulances, medicine, and other wagons in the corps, under the immediate direction of the medical director, or chief medical officer of the army corps to which the ambulance corps belongs; and he should pay special attention to the condition of the ambulances, and see that they were at all times in readiness for service; that the officers and men of the ambulance corps were properly instructed in their duties, and that their duties were performed; and it should be his duty to institute a drill in his corps, instructing his men in the most easy and expeditious manner of moving the sick and wounded, and to require that the sick and wounded should be treated with gentleness and care; and it should be his duty to see that the ambulances were not used for any other purpose than that for which they were designed. And it should be the duty of the chief medical officer of the army corps, previous to a march, and previous to and in time of action, or whenever it might be necessary to use the ambulances, to issue the proper orders to the captain for the distribution and management of the same; for collecting the sick and wounded, and conveying them to their destination. And the officers of the ambulance corps, including the medical director, should make such reports, from time to time, as might be required by the Secretary of War, the Surgeon-General, the medical director of the army, or the commanding officer of the army corps in which they might be serving. That the first lieutenant for a division should have complete control, under the captain of his corps and the medical director of the army corps, of all the ambulances and men in that portion of the ambulance corps. He should be the acting assistant quartermaster, and be responsible for all the property belonging to the ambulance corps, have authority to draw supplies from the dépôt quartermaster, upon requisitions approved by the captain of his corps, the medical director, and the commander of the army corps to which he is attached. That the second lieutenant should have command of the portion of the ambulance corps for a brigade, and should be under the immediate orders of the first lieutenant, and should exercise a careful supervision over the sergeants and privates. That the ambulances in

the armies of the United States should be used only for the transportation of the sick and wounded, and, in urgent cases only, for medical supplies, and all persons should be prohibited from using them. That no person except the proper medical officers, or the officers, non-commissioned officers, and privates of the ambulance corps, or such persons as might be assigned to duty with the ambulance corps, should be permitted to take or accompany sick or wounded men to the rear, either on the march or upon the field of battle. That the officers, non-commissioned officers, and privates of the ambulance corps should be designated by such uniform or in such manner as the Secretary of War should deem proper. That it should be the duty of the commander of the army corps to transmit to the Adjutant-General the names and rank of all officers and enlisted men detailed for service in the ambulance corps of such army corps, and it should be the duty of the commander of the army corps to report to the Adjutant-General, from time to time, the conduct and behavior of the officers and enlisted men of the ambulance corps. That nothing in the act should be construed to diminish or impair the rightful authority of the commanders of armies, army corps, or separate detachments, over the medical and other officers, and the non-commissioned officers and privates of their commands.

On the third of February, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the bill, and the amendments reported by the Military Committee were agreed to. Mr. Wilson then stated that the bill was based upon the orders of Colonel Letterman, Medical Director of the army of the Potomac. The bill, he said, had been sent to medical directors of armies, and to several generals, and the Committee on Military Affairs had received many letters approving the provisions of the bill. General Grant wrote that "the system, as now proposed, is a good one; that it may be subject to modifications which can be made by orders; that it is an admirable system to be adopted by all our armies." General Hooker said he regarded the bill as unexceptionable. General Sykes, commanding a corps in the army of the Potomac, said: "In its main provisions it is identical of Order Eighty-five, of this army, August twenty-fourth, 1863." "The system established in those orders has been tested, and found highly satisfactory." General Sedgwick, commanding the Sixth corps, of the army of the Potomac, said of the bill: "It is essentially the same as now organized in this army, and has been found to work admirably." General French, another corps commander of the army of the Potomac, says: "The system, as embodied in the bill, is almost practically perfect." General Pleasonton, who commanded the cavalry of the army of the Potomac, said of the bill: "I am very glad to find it so nearly accords with the system adopted for the service in this army. The experience of the past eighteen months has shown that the necessities of the service will be

fully met by the provisions of your bill. While it provides in the most ample manner for the care of the sick and wounded, the checks against any abuse are well considered, and will prove effective." General Thomas wrote a letter indorsing the bill, and suggested an amendment, which was adopted by the Committee. "I have full confidence," he said, "that the bill as it now stands, will answer all the purposes needed. It is a general direction and guide, leaving sufficient scope for medical directors of armies to issue orders and make such modifications and changes of detail as may be necessary, from time to time, in their several armies. It extends to all our armies the system adopted eighteen months ago in the army of the Potomac, and which at Fredericksburgh, at Chancellorsville, and at Gettysburgh, according to the testimony of our officers, worked most admirably. It has been improving every day, and no doubt will continue to improve so long as the war lasts; for, in this department, as in every other, they are every day learning something." Mr. Wilson stated that it had been suggested that mule-litters might be introduced into the army. Mr. Grimes thought there ought to be a section in the bill giving authority to change the character of the ambulances, and detail officers and men to horse and mule-litters. Mr. Wilson moved to amend the bill by adding a new section, providing that horse and mule-litters might be authorized by the Secretary of War, under such rules and regulations as might be prescribed by the medical director of each army. The amendment was agreed to, and the bill then passed without a division.

In the House, on the eighth of March, Mr. Schenck, of Ohio, from the Committee on Military Affairs, reported back the ambulance bill of the Senate with amendments, which were agreed to, and the bill was then passed without a division. On the ninth, the Senate, on motion of Mr. Wilson, concurred in the amendments of the House, and the bill was approved by the President on the eleventh of March, 1864.

No. LXIII.—*The Bill to amend Section Nine of the Act approved July seventeenth, 1862, "to Define the Pay and Emoluments of certain Officers of the Army."*

In the House, on the eighth of March, Mr. Farnsworth, of Illinois, from the Committee on Military Affairs, reported a bill to amend section nine of the act approved July seventeenth, 1862, "to define the pay and emoluments of certain officers of the army."

The first section of the bill provided that from and after the passage of the act, chaplains in the regular and volunteer service, and in hospitals, should not suffer any diminution of their pay and allowances when absent from duty on leave, on account of sickness or other disability, or when held by the enemy as prisoners.

The second section of the bill so amended the pension act of July, 1862, as to include chaplains in the regular and volunteer service; provided

that the pension to which a chaplain should be entitled for total disability should be twenty dollars a month; and it provided that the provisions of the act to which the section was an amendment should apply to the widows, children, mothers, and sisters of chaplains of the land forces who had died since the fourth day of March, 1861, or should die of wounds or disease contracted in the service of the United States, or while such chaplains were in the line of their duty.

The bill was passed without a division.

In the Senate, on the fourteenth, Mr. Wilson, from the Military Committee, reported back the bill without amendment, and it was passed without a division.

On motion of Mr. Foster, a message was sent to the House, requesting the return of the bill, and it was returned. The Senate, on motion of Mr. Foster, reconsidered the vote passing the bill. Mr. Foster moved to amend it by adding after the word "that," in the first section of the bill, "the rank of chaplain in the regular and volunteer service of the United States is hereby recognized. Chaplains shall be borne on the field and staff-rolls next after the surgeon, and shall be subject to the same rules and regulations as other officers of the army. They shall be entitled to draw forage for two horses, and to quarters and fuel, subject to the same conditions and limitations as are now by law provided in the case of surgeons. When absent from duty with leave, or on account of sickness or other disability, or when held by the enemy as prisoners, they shall be subject to no other diminution or loss of pay and allowances than other officers in the military service are under like circumstances." Mr. Wilson moved to amend the amendment by adding, "and chaplains who have been absent from duty by reason of wounds or sickness, or when held by the enemy as prisoners, shall be entitled to receive full pay, without rations, during such absence;" and it was agreed to. Mr. Foster moved to amend the bill by adding, as section two, "that it shall be the duty of chaplains in the military service of the United States to make monthly reports to the Adjutant-General of the moral condition of the regiments, hospitals, or posts to which they may be attached; and it shall be the duty of all commanders of regiments, hospitals, and posts to render such facilities as will aid in the discharge of the duties assigned to them by the Government;" and it was agreed to. Mr. Wilson moved further to amend it by adding, as a new section, "that all chaplains in the military service of the United States shall hold appropriate religious services at the burial of soldiers who may die in the command to which they are assigned to duty, and it shall be their duty to hold public religious services at least once each Sabbath;" and the amendment was adopted. The bill was passed without a division.

The House, on the twenty-ninth, on motion of Mr. Schenck, disagreed to the amendments of the Senate, asked a committee of conference, and the Speaker appointed Mr. Garfield, Mr. Odell, and

Mr. Smithers managers on the part of the House.

The Senate, on the thirty-first, insisted on its amendments, agreed to a committee of conference, and appointed Mr. Wilson, Mr. Foster, and Mr. Riddle, of Delaware, conferees.

In the Senate, on the sixth of April, Mr. Wilson, from the committee, reported "that the House of Representatives recede from their disagreement to the first amendment of the Senate, and agree to the same, with the following amendments, to wit, first, after the word 'chaplain,' in the first line of said amendment, insert the words 'without command'; second, after the word 'surgeons,' in the fourth line of said amendment, insert the words 'and shall wear such uniform as is or may be prescribed by the army regulations,' and that the Senate agree to the said amendments.

"That the House of Representatives recede from their disagreement to the third section of the amendments of the Senate, and agree to the same with the following amendments, to wit, first, after the words 'Adjutant-General,' in the fourth line of said section, insert the words 'of the army through the usual military channels'; second, after the word 'condition,' in the fourth line of said section, insert the words 'and general history,' and that the Senate agree to the said amendments.

"That the House of Representatives recede from their disagreement to the fourth section of the amendments of the Senate, and agree to the same with the following amendment, to wit, add at the end of said section the words 'when practicable,' and that the Senate agree to said amendment." The report was adopted. The House agreed to the report made on the same day by Mr. Garfield. So the bill passed, and was approved by the President on the ninth of April, 1864.

No. LXIV.—*The Bill to increase the Rank, Pay, and Emoluments of the Provost-Marshal General.*

In the House, on the eighth of March, 1864, Mr. Schenck, from the Committee on Military Affairs, reported a bill to amend "an act for enrolling and calling out the national forces," so as to increase the rank, pay, and emoluments of the Provost-Marshal General. On motion of Mr. F. W. Kellogg, of Michigan, the previous question on the passage of the bill was ordered, and it was passed—yeas, sixty-eight; nays, twenty-six.

In the Senate, on the twenty-third, Mr. Lane, of Indiana, from the Committee on Military Affairs, to which it was referred, reported it back without amendment. On the eighteenth of April, on motion of Mr. Lane, the Senate proceeded to its consideration. The Senate, on the nineteenth, resumed the consideration of the bill, and after debate, in which Mr. Lane, Mr. Fessenden, Mr. Grimes, Mr. Johnson, Mr. Harris, and Mr. Saulsbury participated, it was passed—yeas, thirty-one; nays, seven. It was approved by the President on the twenty-first of April, 1864.

No. LXV.—*The Joint Resolution to print the Official Reports of the Armies of the United States.*

In the Senate, on the twenty-sixth of January, 1864, Mr. Wilson, of Massachusetts, introduced a resolution to provide for the printing of the official reports of the operations of the armies of the United States, which was read twice and referred to the Committee on Military Affairs. On the twenty-seventh, Mr. Wilson reported it back without amendment. The Senate, on the twenty-first of April, proceeded to its consideration. The resolution made it the duty of the Secretary of War to transmit, from time to time, to the Superintendent of Public Printing, copies of all official reports, and of all telegrams and despatches, not theretofore published by order of either House of Congress, relating to the movements, engagements, and operations generally, of the armies of the United States, which in his judgment the public interests might not require to be kept secret, commencing with the first of December, 1860; all such reports, telegrams, and despatches were to be arranged in chronological order, with a caption or title prefixed to each separate engagement, movement, or operation. It was to be the duty of the Superintendent of Public Printing to print the usual number (one thousand five hundred and fifty) of such reports, telegrams, and despatches for the Houses of Congress, and five hundred copies for the War Department. The resolution passed without a division.

In the House, on the twelfth, Mr. R. M. Clark, of New-York, moved to amend the joint resolution so that it would provide that the Secretary of War be directed to furnish the Superintendent of Public Printing with copies of all such correspondence, by telegraph or otherwise, reports of commanding officers, and documents of every description, in relation to the rebellion, to be found in the archives of his department since the first day of December, 1860, to that time and during the continuance of the rebellion, which might be, in his opinion, proper to be published; which said correspondence, reports, and documents should be arranged in their proper chronological order; that the Superintendent of Public Printing should cause to be printed and bound, in addition to the usual number, ten thousand copies of such correspondence, reports, and documents in volumes of not exceeding, as near as might be, eight hundred octavo pages each, which should be distributed by the Secretary of the Senate as follows: five hundred copies to the War Department, one complete copy to each State library of every State in the Union, and five complete copies to public libraries in each congressional district of the United States, to be designated by the representatives of that Congress from such districts; and of the remaining copies three thousand should be for the use of members of that Senate, and six thousand for the use of the members of the House of Representatives; that it should be the duty of the Secretary of War to cause a complete index

to the matter contained in such volume to be prepared and inserted therein; and that all resolutions adopted by either House of Congress at that session directing the printing of any of the correspondence, reports, or documents, as contemplated, be rescinded.

The substitute was adopted, and the resolution as amended passed without a division. The Senate, on the sixteenth, concurred in the amendment of the House, and it was approved by the President on the nineteenth of May, 1864.

No. LXVI.—*The Army Appropriation Bill for 1864.*

The House of Representatives, on the twenty-first of March, 1864, on motion of Mr. Stevens, of Pennsylvania, proceeded to the consideration of the army appropriation bill, reported from the Committee of Ways and Means. Mr. Harding, of Kentucky, moved to amend it by adding a proviso, "that no part of the money hereby appropriated should be applied or used for the purpose of raising, arming, equipping, or paying negro soldiers;" but it was rejected—yeas, eighteen; nays, eighty-one. The bill was then passed without a division.

In the Senate, the bill was taken up on the twenty-second of April, and several amendments reported by Mr. Fessenden from the Committee on Finance agreed to. On motion of Mr. Wilson, the bill was amended, so as to provide that officers employing soldiers or servants should receive no pay or allowances for servants, but should be subject to deductions from their pay, of the pay and allowances of the soldiers employed as servants. Mr. Wilson then moved to amend the bill by adding five new sections, providing that enlistments thereafter made in the regular army during the continuance of the rebellion might be for three years. That all persons of color who had been or might be mustered into the military service of the United States should receive the same uniform, clothing, arms, equipments, camp equipage, rations, medical and hospital attendance, pay, and emoluments other than bounty, as other soldiers of the regular or volunteer forces of like arm of the service, from the first day of January, 1864; and that every person of color who should thereafter be mustered into the service should receive such sums in bounty as the President should order in the different States and parts of the United States, not exceeding one hundred dollars. That all persons enlisted and mustered into the service as volunteers under the call dated October seventeenth, 1863, for three hundred thousand volunteers, who were at the time of enlistment actually enrolled and subject to draft in the State in which they volunteered, should receive from the United States the same amount of bounty, without regard to color. That all persons of color who had been enlisted and mustered into the service of the United States should be entitled to receive the pay and clothing allowed by law to other volunteers in the service, from the date of their muster into the service: *Provided,*

that the same should have been pledged or promised to them by any officer or person who, in making such pledge or promise, acted by authority of the War Department. That the same premium should be allowed for each colored recruit then mustered or thereafter to be mustered into the service as should be allowed by law for white recruits. The amendment was agreed to—yeas, thirty-two; nays, five.

Mr. Davis, of Kentucky, moved to amend the bill, so that all negroes in the military service should be discharged when the rebellion should be suppressed—yeas, ten; nays, twenty-seven; so it was rejected. Other amendments were offered by Mr. Davis, but they were rejected. Mr. Hendricks, of Indiana, moved to amend as a new section, that the pay of the soldiers and non-commissioned officers of the army of the United States should thereafter be fifty per cent greater than was then allowed by law. Mr. Carlisle moved to amend the amendment, by adding as a proviso, that the pay of the non-commissioned officers should not exceed twenty-two dollars per month, and Mr. Hendricks accepted it. After debate, the amendment was rejected—yeas, six; nays, thirty. The bill as amended was then passed—yeas, thirty-six; nays, one.

In the House, on the thirtieth of April, Mr. Stevens reported back, from the Committee of Ways and Means, the Senate amendments. Mr. Holman, of Indiana, opposed the amendment equalizing the pay of soldiers, and moved to strike out of the section, putting colored soldiers on an equality with other soldiers, the word "pay;" but the motion failed—yeas, fifty-two; nays, eighty-four. Mr. Schenck, of Ohio, moved to amend the Senate amendment; but the motion was lost—yeas, fifty-eight; nays, sixty-five. He then moved to amend so much of the Senate amendment as gave to colored volunteers, under the call of October seventeenth, 1863, the same bounties as were given to white soldiers, so that the bounty should not exceed one hundred dollars—yeas, seventy-eight; nays, fifty-one. Mr. Stevens moved to amend, by striking out the section of the Senate amendment, authorizing the Secretary of War, on proof, to allow full pay to volunteers who were promised it when enlisted, and to insert a provision that all free persons of color should receive the same pay as other soldiers—yeas, seventy-three; nays, fifty-four.

The Senate, on the third of May, voted to disapprove to the House amendments to the amendments of the Senate, and asked a committee of conference. Mr. Fessenden, Mr. Wilson, and Mr. Henderson were appointed managers on the part of the Senate. The House insisted on its amendments, agreed to the conference, and the Speaker appointed Mr. Stevens, Mr. Schenck, and Mr. Morrison, of Illinois, managers. The committee reported that they were unable to agree; and a new conference committee, consisting of Mr. Collamer, Mr. Nesmith, and Mr. Grimes, on the part of the Senate, and Mr. Morrill, of Vermont, Mr. Farnsworth, of Illinois, and Mr. Griswold, of New-York, were appointed. On

the twenty-fifth, Mr. Morrill, from the conference committee, made a report, which was disagreed to—yeas, twenty-five; nays, one hundred and twenty-one.

On motion of Mr. Stevens, the House further insisted, asked a further conference, and Mr. Stevens, Mr. Pendleton, and Mr. Thomas T. Davis, of New-York, were appointed managers. The Senate, on the twenty-seventh, agreed to another committee, and Mr. Howe, of Wisconsin, Mr. Morrill, of Maine, and Mr. Buckalew, of Pennsylvania, were appointed managers. On the tenth of June, Mr. Howe reported: "That the House recede from their disagreement to the eighth amendment of the Senate, and agree to the same with an amendment as follows, and the Senate agree to the same: strike out all after the enacting clause, (being section four,) and insert in lieu thereof the following: 'That all persons of color who were free on the nineteenth day of April, 1861, and who have been enlisted and mustered into the military service of the United States, should, from the time of their enlistment, be entitled to receive the pay, bounty, and clothing allowed to such persons by the laws existing at the time of their enlistment. And the Attorney-General of the United States is hereby authorized to determine any question of law arising under this provision.'". After debate, in which Mr. Howe, Mr. Sumner, Mr. Conness, Mr. Johnson, Mr. Wilson, and Mr. Fessenden participated, the report was agreed to on the eleventh.

The House accepted the report on the thirteenth—yeas, seventy-one; nays, fifty-eight. By this legislation, colored troops were placed on the same footing as white troops. From the first of January, 1864, colored volunteers in the loyal States, under the call of the seventeenth of October, 1863, were allowed the same bounty as white volunteers; and all colored soldiers free on the nineteenth of April, 1861, were to receive full pay; and the Attorney-General was authorized to decide whether colored men not free on the nineteenth of April were entitled to the same pay as white soldiers. The bill was approved on the fifteenth of June, 1864.

#### No. LXVII.—*The Bill to increase the Pay of Soldiers in the United States Army, and for other purposes.*

In the Senate, on the fourteenth of December, 1863, Mr. Wilson, of Massachusetts, introduced a bill to increase the bounty to volunteers and the pay of the army, which was referred to the Committee on Military Affairs, and reported back by Mr. Wilson on the sixteenth, with amendments. The bill provided that there should be paid to such persons as had enlisted under the proclamation of the seventeenth of October, 1863, calling for three hundred thousand volunteers, and to such persons as might thereafter enlist for the term of three years, the following bounties, namely, to veterans, four hundred dollars; to all other persons, three hundred dollars. That the Secretary of War be authorized to pay a premium not exceeding

fifteen dollars for the enlistment of a veteran volunteer, and ten dollars for the enlistment of any other volunteer. That twenty millions of dollars be appropriated in payment of the bounties. That from the first day of January, 1864, the pay per month of non-commissioned officers and privates in the regular army and volunteer forces should be as follows, namely, sergeant-majors of cavalry, artillery, and infantry, twenty-three dollars; quartermaster-sergeants of cavalry and artillery, twenty-three dollars; of infantry, twenty dollars; first sergeants of cavalry, artillery, and infantry, twenty-three dollars; sergeants of cavalry, artillery, and infantry, nineteen dollars; sergeants of ordnance, sappers and miners and pontoniers, thirty-four dollars; corporals of ordnance, sappers and miners, and pontoniers, twenty dollars; privates, first class, eighteen dollars; second class, sixteen dollars; corporals of cavalry, artillery, and infantry, seventeen dollars; chief buglers of cavalry, twenty-three dollars; buglers, fifteen dollars; farriers, and blacksmiths of cavalry, and artificers of artillery, eighteen dollars; privates of cavalry, artillery, and infantry, sixteen dollars; principal musicians of artillery and infantry, twenty-two dollars; musicians of artillery and infantry, and musicians of sappers and miners and pontoniers, fourteen dollars. That all enlisted persons of African descent should have the same uniform, clothing, arms, equipments, camp equipage, rations, medical and hospital attendance, and pay, as soldiers of the regular or volunteer forces of the United States, of like arm of the service. That whenever the President should call upon the several States for men, the quota of each ward of a city, town, or township, or of a county, where the county was not divided into wards, towns, or townships, should be, as nearly as possible, in proportion to the number of men therein liable to render military service, taking into account the number which had been previously furnished, and the number of men that had entered or might enter the naval service. That chaplains, when absent from duty by reason of wounds or sickness, should be allowed full pay without rations, and half pay with rations during absence on leave occasioned by other causes; and chaplains who had been absent from duty by reason of wounds or sickness should be entitled to receive full pay without rations.

On the twenty-first of December, the bill was taken up, debated by Mr. Harris, Mr. Wilson, Mr. Sherman, Mr. Grimes, Mr. Fessenden, Mr. Howe, Mr. Hendricks, Mr. Lane, of Indiana, Mr. Collamer, Mr. Cowan, Mr. Hicks, and Mr. Howard, and slightly amended. On the ninth of February, it was again taken up, and, on motion of Mr. Wilson, laid on the table, and not again called up.

In the Senate, on the eighth of January, 1864, Mr. Wilson introduced a bill to promote enlistments into the army, and for other purposes, which was read twice, and referred to the Committee on Military Affairs. On the eighteenth, Mr. Wilson reported it back with amendments. The Senate, on the twenty-first, proceeded to its

consideration. It consisted of seven sections, and provided: That enlistments thereafter made in the regular army should be for the term of three years. That all persons of African descent who had been or might be mustered into the military service, should receive the same uniform, clothing, rations, medical and hospital attendance, pay and emoluments, as other soldiers of the regular or volunteer forces; and that every such person thereafter mustered into service should receive two months' pay in advance. That, when any man of African descent owing service or labor in any State under its laws, should be mustered into the military or naval service of the United States, he, and his mother, wife, and children, should be for ever free. Full pay, without rations, to chaplains theretofore or thereafter absent by reason of wounds or sickness; half pay, with rations, during absence on leave occasioned by other causes. The amendments, which were reported by the Committee, were concurred in.

On the twenty-seventh, the Senate resumed the consideration of the bill, and on motion of Mr. Grimes, it was amended by striking out the words, "two months' pay in advance," to colored volunteers, and inserting the words, "such sums in bounty as the President shall order in different States and parts of the United States, not exceeding the sum of one hundred dollars."

On the third of February, Mr. Wilson, from the Military Committee, reported a joint resolution to equalize the pay of soldiers. It provided that all persons of color who had been or who might be mustered into the military service, should receive the same pay and emoluments, other than bounty, as other soldiers; and that every person of color who should thereafter be mustered into the service, should receive such sums in bounty as the President should order, not exceeding one hundred dollars. On the fourth, the Senate proceeded to the consideration of the joint resolution, and it was debated on that day, the tenth, the thirteenth, the sixteenth, the twenty-third, and the twenty-ninth, by Mr. Fessenden, Mr. Wilson, Mr. Ten Eyck, Mr. Lane, of Kansas, Mr. Conness, Mr. Pomeroy, Mr. Doolittle, Mr. Sumner, Mr. Foster, Mr. Lane, of Indiana, Mr. Johnson, Mr. Grimes, Mr. Cowan, Mr. Collamer, Mr. Sherman, Mr. Salisbury, Mr. Davis, Mr. Foot, Mr. Clark, Mr. Wilkinson, and Mr. Howard. Several amendments were moved, discussed, and acted upon, and the joint resolution, on motion of Mr. Grimes, recommitted to the Committee on Military Affairs.

In the Senate, on the second of March, Mr. Wilson reported a bill to equalize the pay of soldiers, in lieu of the joint resolution recommitted to the Committee. It provided: That all persons of color who had been or might be mustered into the military service, should receive the same uniform, clothing, rations, medical and hospital attendance, pay and emoluments, other than bounty, as other soldiers of the regular or volunteer forces, from the first day of January, 1864; and that every person of color who should thereafter be mustered into the service, should receive such

sums in bounty as the President should order in the different States and parts of the United States, not exceeding one hundred dollars. That all persons enlisted and mustered into service as volunteers, under the call dated October seventeenth, 1863, for three hundred thousand volunteers, who were at the time of enlistment actually enrolled and subject to draft in the State in which they volunteered, should receive from the United States the same bounty, without regard to color. That all persons of color who had been enlisted and mustered into the service, should be entitled to receive the pay and clothing allowed by law to other volunteers in the service, from the date of their muster into the service: *Provided*, That the same should have been pledged or promised to them by any officer or person, who, in making such pledge or promise, acted by authority of the War Department.

The Senate, on the seventh, on motion of Mr. Wilson, proceeded to the consideration of the bill. On the eighth, the Senate resumed its consideration, and Mr. Davis moved that the loyal owners of slaves taken into the service should be paid their fair value, which should be determined by a commissioner appointed by the district court. On the ninth, Mr. Davis spoke at great length in favor of his amendment, and against the policy of the measure; and on the tenth, the vote was taken on the amendment, and it was rejected—yeas, six; nays, thirty-one. The bill was then passed—yeas, thirty-one; nays, six.

On the twelfth of April, Mr. Wilson introduced a bill concerning the pay and subsistence of the army. It provided: That the army rations should thereafter be the same as provided by law and regulations on the first day of July, 1861, excepting the ration of pepper. That during the continuance of the war there should be added to the pay of all non-commissioned officers, musicians, and privates of the army, a sum equivalent to the reduction of the ration, which sum was determined and declared to be two dollars per month. The bill was read twice, and referred to the Committee on Military Affairs.

On the twenty-second of April, on motion of Mr. Wilson, the army appropriation bill was amended by adding as an amendment the bill which passed the Senate on the tenth of March, to equalize the pay of soldiers.

In the House, on the twenty-ninth of April, Mr. Schenck, from the Committee on Military Affairs, to which the bill to equalize the pay of soldiers had been referred, reported it back with amendments. The bill and amendments were ordered to be printed, and recommitted with leave to report at any time. On the third of May, Mr. Schenck reported it back with an amendment in the nature of a substitute. The substitute provided: That after the first day of May, 1864, the pay of soldiers should be sixteen dollars per month. That the army rations should be the same as provided by law and regulation on the first day of July, 1861. That so much of the act to authorize the employment of volunteers as

provided that each company officer should furnish his own horse, and should receive forty cents per day for use and risk, should be repealed. That the pay of clerks of paymasters in the army should be one thousand two hundred dollars per annum. That the act of the third of March, 1863, for enrolling and calling out the national forces should be so amended that an officer might have leave of absence, without deduction from his pay, for other causes than for sickness or for wounds. The substitute was agreed to, and the bill passed—yeas, one hundred and thirty-five; nays, none.

In the Senate, on the eleventh, Mr. Wilson, from the Committee on Military Affairs, to which had been referred the House amendments, reported them back with amendments; and the Senate, on the sixteenth, proceeded to their consideration. The first amendment of the Military Committee of the Senate proposed to strike out the first section of the House amendment, and insert: "That on and after the first day of May, 1864, and during the continuance of the present rebellion, the pay per month of non-commissioned officers and privates in the regular army, and volunteer and drafted forces in the service of the United States, shall be as follows, namely, sergeant-majors, twenty-six dollars; quartermaster-sergeants of cavalry and artillery, twenty-three dollars; of infantry, twenty dollars; first sergeants of cavalry, artillery, and infantry, twenty-four dollars; sergeants of cavalry, artillery, and infantry, twenty dollars; sergeants of ordnance sappers and miners and pontoniers, thirty-four dollars; corporals of ordnance, sappers and miners, and pontoniers, twenty dollars; privates, first class of the same corps, eighteen dollars; privates, second class of the same corps, sixteen dollars; corporals of cavalry, artillery, and infantry, eighteen dollars; chief buglers of cavalry, twenty-three dollars; buglers, sixteen dollars; farriers and blacksmiths of cavalry and artificers of artillery, eighteen dollars; privates of cavalry, artillery, and infantry, sixteen dollars; principal musicians of artillery and infantry, twenty-two dollars; musicians of artillery and infantry, and musicians of sappers and miners and pontoniers, sixteen dollars; hospital stewards of the first class, thirty-three dollars; hospital stewards of the second class, twenty-five dollars; hospital stewards of the third class, twenty-three dollars. The amendment was agreed to without a division.

The next amendment was to insert as new sections three, four, five, and six, after the second section of the House amendments: "That hereafter rations shall not be issued to soldiers sick in hospital, but commutation of rations shall be allowed and paid into the hospital fund, at the rate now established by law, for each soldier reported by the surgeon in charge as sick in hospital; and the receipt of the surgeon in charge shall be a sufficient voucher for the paymaster, or other disbursing officer, who may be charged with the payment of such commutation: *Provided*, That the hospital fund shall be devoted solely to

the diet and maintenance of the sick and wounded soldiers in such hospital. And provided further, that the Surgeon-General shall, with the approval of the Secretary of War, establish regulations for the accountability of medical officers having charge of the hospital fund. And any officer who shall appropriate to his own use, or shall misapply, any portion of a hospital fund, or who shall make any false report of the number of soldiers sick in hospital, shall, on conviction, be punished as a court-martial or military commission may direct. That all non-commissioned officers and privates in the regular army, serving under enlistments made prior to July twenty-second, 1861, shall have the privilege of reënlisting for the term of three years in their respective organizations, until the first day of August next; and all such non-commissioned officers and privates so reënlisting shall be entitled to the bounties mentioned in the joint resolution of Congress approved January thirteenth, 1864. That section thirty-five of the "Act for enrolling and calling out the national forces, and for other purposes," approved March third, 1863, shall not be construed to apply to enlisted men employed as clerks and messengers in the military offices in Washington, and at the several geographical, division, and department headquarters. That there be added to the battalion of engineers one sergeant-major and one quartermaster-sergeant, who shall also be commissary-sergeant, and each shall have the pay of a sergeant of engineers." This amendment was agreed to without a division.

The Committee reported as an amendment, to add as new sections seven, eight, and nine: That there should be attached to, and made a part of, the War Department, during the continuance of the present rebellion, a bureau to be known as the Bureau of Military Justice, to which should be returned for revision the records and proceedings of all the courts-martial, courts of inquiry, and military commissions of the armies of the United States, and in which a record should be kept of all proceedings had thereupon. That the President should appoint, by and with the advice and consent of the Senate, as the head of said bureau, a judge-advocate general, with the rank, pay, and emoluments of a brigadier-general, and one assistant judge-advocate general, with the rank, pay, and emoluments of a colonel of cavalry. And the judge-advocate and his assistant should receive, revise, and have recorded the proceedings of the courts-martial, courts of inquiry, and military commissions of the armies of the United States, and perform such other duties as had before been performed by the Judge-Advocate General of the armies of the United States. That the Secretary of War should have power to appoint for said bureau one fourth class, one third class, one second class, and two first class clerks. The amendment was agreed to—yeas, twenty-three; nays, eleven. The bill was further amended by adding: "That in all cases where the Government shall furnish transportation and subsistence to discharged officers and soldiers from

the place of their discharge to the place of their enrolment or original muster into the service, they shall not be entitled to travel, pay, or commutation of subsistence."

On the seventeenth, on motion of Mr. Grimes, the section providing for the appointment of an assistant judge-advocate general, with the rank of colonel, was amended by striking out the word "colonel," and inserting "major," which was agreed to—yeas, twenty-two; nays, twelve. Mr. Powell moved that from and after the first day of May, 1864, the army should be paid in gold, or if paid in paper, it should be paid an amount equal to gold at the time of payment—yeas, six; nays, twenty-three. So the amendment was rejected. It was then moved by Mr. Powell to add to the first section of the amendment of the Military Committee, increasing the pay of non-commissioned officers and privates, a proviso that the provisions of the act should not apply to colored soldiers; but the motion was lost—yeas, five; nays, twenty-six.

The House disagreed to the Senate amendments, asked a committee of conference, and the Speaker appointed Mr. Schenck, of Ohio, Mr. F. W. Kellogg, of Michigan, and Mr. J. S. Rollins, of Missouri, managers on the part of the House. The Senate insisted on its amendments to the amendments of the House to the original bill, and Mr. Wilson, Mr. Grimes, and Mr. Nesmith were appointed managers on the part of the Senate.

Mr. Wilson, from the committee of conference, reported that the House agree to the first amendment of the Senate, increasing the pay of the army, with some slight amendments; that the Senate recede from its amendment concerning rations issued to soldiers sick in hospital; that the House agree to the third amendment of the Senate; that non-commissioned officers and privates of the regular army, serving under enlistments previous to the twenty-second of July, 1861, should have the privilege of reënlisting and receiving the veteran bounties; that the Senate recede from its fourth amendment, providing that the thirty-fifth section of the act for the enrolling and calling out the national forces, approved March third, 1863, should not apply to enlisted men employed as clerks and messengers in the military offices in Washington; that in the second line of the sixth section of the Senate amendment, strike out all of said section after the words "sergeant-major," and insert, in lieu thereof, "who shall be paid thirty-six dollars per month, and one quartermaster-sergeant, who shall also be commissary-sergeant, who shall be paid twenty-two dollars per month." And that the House of Representatives do agree to said amendment of the Senate as amended. That the House of Representatives do agree to the sixth Senate amendment, to wit, the insertion of section seven. Strike out the fourth, fifth, and all of the sixth line down to the word "and" in the seventh Senate amendment, and insert the following in lieu thereof, "The rank, pay, and allowances of a brigadier-general, and an assistant judge-advocate general, with the

rank, pay, and allowances of a colonel of cavalry." After the word "advocate," in the seventh line of said seventh Senate amendment, insert the word "general;" and that the House of Representatives do agree to said Senate amendment as amended. That the House of Representatives do agree to the eighth Senate amendment, to wit, the insertion of section nine. That the House of Representatives do agree to the ninth Senate amendment, to wit, the insertion of section ten. That the House of Representatives agree to the tenth, eleventh, and twelfth of the Senate amendments. The report of the conference committee was accepted in both Houses, and the bill was approved by the President June twentieth, 1864.

No. LXVIII.—*The Bill to provide for the Examination of certain Officers of the Army.*

In the Senate, on the first of February, 1864, Mr. Wilson, of Massachusetts, introduced a bill to provide for the examination of certain officers of the army, which was read twice, and referred to the Military Committee.

On the third, Mr. Wilson reported it back with an amendment. The bill provided: That every quartermaster and assistant quartermaster, every commissary and assistant commissary of subsistence, every paymaster and additional paymaster should appear for examination before a board, composed of three officers of the corps to which he belonged. And all members of such boards of examination shall swear that they will conduct all examinations with impartiality, and with a sole view to the qualifications of the person or persons to be examined. That boards of examination should be constituted, under the direction of the Secretary of War, by the Quartermaster-General, the Commissary-General of Subsistence, and the Paymaster-General, at convenient places. That after the board should be constituted, and after the general orders should have been published for a period of ninety days, none of the officers mentioned in the first section of the act should receive any pay, allowances, or emoluments, until they should have appeared before the board of examination. That if the board of examination should report that any officer does not possess the requisite qualifications, they should forward the record of the examination to the head of the bureau to which he might belong; and if the head of such bureau should approve the finding, the officer so failing in his examination should, if commissioned, be dismissed from the service with one month's pay; and if not yet commissioned, his appointment should be revoked; and if the board should report that any officer failed to pass a satisfactory examination by reason of intemperance or vicious habits, and if the head of the bureau should approve the finding and report of the board as to his lack of the requisite business qualifications, then such officer should be dismissed without pay, and should not be permitted to re-enter the service as an officer. That the boards of examination should forward all their records of examination

to the heads of the bureaus to which they pertain, and such records should be filed in the proper bureaus.

On the ninth, on motion of Mr. Wilson, the bill was taken up, the amendments agreed to, and the bill passed without a division.

In the House, the bill was referred to the Military Committee on the tenth. On the twenty-first of June, Mr. Schenck reported it back with amendments. The amendments were agreed to, and the bill passed without a division.

On motion of Mr. Wilson, the amendments were referred to the Military Committee, and on the twenty-third, the Committee reported in favor of concurring in the amendments of the House. The Senate, on motion of Mr. Wilson, concurred in the amendments. So the bill was passed, and approved by the President on the twenty-fifth of June, 1864.

No. LXIX.—*The Joint Resolution to provide for the Publication of a Full Army Register.*

In the House, on the twenty-first of June, 1864, Mr. Schenck reported from the Committee on Military Affairs a joint resolution to provide for the publication of a full army register. It authorized and required the Secretary of War, in connection with the army register for the year 1864, to cause to be printed and published a full roster or roll of all field, line, and staff-officers of volunteers who had been in the army since the beginning of the rebellion, showing whether they were yet in the service or had been discharged, and giving casualties and other explanations proper for such register. And to defray, in whole or in part, the expenses of this publication, an edition of fifty thousand copies of such enlarged register should be published, and might be sold to officers, soldiers, or citizens, at a price which should not more than cover the actual cost of paper, printing, and binding, and should not in any case exceed one dollar per volume. The resolution passed without a division. In the Senate, on the twenty-seventh, Mr. Anthony, of Rhode Island, from the Committee on Printing, to which it had been referred, reported it back without amendment. The joint resolution was passed, and approved by the President on the thirtieth of June, 1864.

No. LXX.—*The Bill to provide for the more speedy Punishment of Guerrilla Marauders, and for other purposes.*

In the House, on the sixth of June, 1864, Mr. Garfield, of Ohio, from the Committee on Military Affairs, introduced a bill for the more speedy punishment of guerrillas, and for other purposes. Mr. Eldridge, of Wisconsin, moved that the bill be laid upon the table. Lost—yeas, thirty-five; nays, sixty-seven. It was then passed—yeas, seventy-two; nays, thirty-seven.

In the Senate, on the thirteenth of June, Mr. Wilson, from the Committee on Military Affairs, to which the bill of the House had been referred, reported it back with an amendment. The bill

provided : That the provisions of the twenty-first section of the act for enrolling and calling out the national forces, and for other purposes, approved March third, 1863, should apply as well to the sentences of the military commissions as to those of courts-martial ; and thereafter, the commanding general in the field, or the commander of the department, as the case might be, should have power to carry into execution all sentences against guerrillas, and for robbery, arson, burglary, rape, assault with intent to commit rape, and for violation of the laws and customs of war, as well as sentences against spies, mutineers, deserters, and murderers. The second section provided that every officer authorized to order a general court-martial should have power to pardon or mitigate any punishment ordered by such court, including that of confinement in the penitentiary, except the sentence of death, or of cashiering or dismissing an officer, which sentences it should be competent, during the continuance of the rebellion, for the general commanding the army in the field or the department commander, as the case might be, to remit or mitigate ; and the fifth section of the act approved July seventeenth, 1862, chapter two hundred and one, be repealed so far as it related to sentences of imprisonment in the penitentiary. The Military Committee reported in favor of striking out of the first section after the word "guerrillas," the words, "for robbery, arson, burglary, rape, assault with intent to commit rape, and the violation of the laws and customs of war." The amendment was opposed by Mr. Howard, of Michigan.

On the sixteenth, the Senate resumed the consideration of the bill, and Mr. Wilson modified the amendment by striking out the word "and," so that it would read : " Shall have power to carry into execution all sentences against guerrillas for robbery, arson, burglary, rape, assault with intent to commit rape, and for violation of the laws and customs of war." Mr. Johnson opposed the passage of the bill, and Mr. Davis denounced it as "another of the series of strange and absurd bills that these extraordinary times have originated." But the amendment was agreed to. On the thirtieth, the Senate resumed the further consideration of the bill, and Mr. Hendricks moved to amend it by providing that the term "guerrillas" therein contained should not be held to include persons employed in the authorized service of the enemy. Mr. Conness moved to amend the amendment by adding the words, "whose operations shall be conducted according to the laws of war." But the amendment was rejected, and Mr. Hendricks's amendment was agreed to. On motion of Mr. Sumner, the bill was so amended as to provide that wherever the word "guerrilla" occurred, the word marauders should be inserted, so as to read "guerrilla marauders." Mr. Wilson moved to amend by adding a new section, providing that when a soldier in hospital should be discharged from the military service, but should be unable to leave or to avail himself of his discharge in consequence of sickness or wounds, and should subsequently die in such

hospital, he should be deemed to have died in the military service. On motion of Mr. Lane, of Indiana, the amendment was so amended as to read, "when a soldier in any hospital shall have been discharged or shall be discharged;" and the amendment as amended was agreed to. Mr. Wilson then moved further to amend the bill by adding, "that payments which have been made by paymasters to non-commissioned officers of volunteer regiments from the date of their enrolment, and for a time previous to their muster into the service of the United States shall, if otherwise correct, be allowed in the settlement of such paymasters' accounts ;" and the amendment was adopted. The bill as amended was then passed, and its title amended so as to read : "A bill to provide for the more speedy punishment of guerrilla marauders, and for other purposes."

In the House, on the first of July, the amendments of the Senate were disagreed to, a committee of conference asked for, and Mr. Farnsworth, of Illinois, Mr. Holman, of Indiana, and Mr. Morehead, of Pennsylvania, were appointed managers. The Senate, on motion of Mr. Wilson, insisted on its amendments, agreed to a committee of conference, and Mr. Trumbull, Mr. Lane, of Indiana, and Mr. Van Winkle, of West-Virginia, were appointed managers.

On the second, Mr. Trumbull, from the committee of conference, reported : "That the House recede from its disagreement to the first amendment of the Senate, and agree to the same. That the Senate recede from its second amendment, being the proviso to the first section. That the House recede from its disagreement to the Senate's third amendment, and agree to the same, with the following amendment: add to the end of said amendment the following words, "so far as relates to bounties." That the Senate recede from its further amendment. That the House recede from its disagreement to Senate's amendment to the title of said bill and agree to the same." The report was agreed to. The House of Representatives concurred in the report of the committee of conference, and the bill was approved by the President on the second of July, 1864.

No. LXXI.—*The Bill to provide for the better Organization of the Quartermaster's Department.*

In the Senate, on the eighth of March, 1864, Mr. Wilson introduced a bill to provide for the better organization of the quartermaster's department, which was read twice and referred to the Military Committee. On the fourth of April, Mr. Wilson reported it back with amendments. The bill provided: That there should be established in the office of the Quartermaster-General, to exist during the rebellion and one year thereafter, the following divisions, each of which should be placed in the charge of a competent officer of the quartermaster's department, who should, under such rules as might be prescribed by the Quartermaster-General, with the approval of the Secretary of War, transact the business of such division, to

wit: The first division should have charge of the purchase, procurement, and disposition of horses and mules. The second division should have charge of the purchase, procurement, issue, and disposition of cloth and clothing, camp and garrison equipage, and accoutrements. The third division should have charge of the purchase, charter, hire, and maintenance of all vessels to be used in the transportation of the army, and of prisoners of war, and of their supplies. The fourth division should have charge of the purchase, charter, hire, maintenance, and procurement of all transportation for the army, and its supplies by land and upon the western rivers. The fifth division should have charge of the purchase, procurement, issue, and disposition of forage and straw. The sixth division should have charge of the erection, procurement, maintenance, and disposition of all barracks, hospital buildings, storehouses, stables, bridges, wharves, and other structures composed in whole or in part of lumber, and of all lumber, nails, and hardware for building purposes. The seventh division should have charge of the purchase, procurement, issue, and disposition of all wagons, ambulances, travelling-forges and harness. The eighth division should have charge of all inspections of the quartermaster's department, and of all reports made by officers assigned to inspection duty, analyzing and preserving the reports as received, and communicating, through the Quartermaster-General, to the chiefs of the proper divisions such portions of the reports as might be necessary for their information and use. The ninth division should have charge of all the correspondence, returns, reports, and records received, filed, and preserved in the office of the Quartermaster-General. That the supplies and material for the quartermaster's department should be purchased, after due public notice, by the heads of the several divisions, except in cases of supplies procured within the field of active military operations. That the heads of the several divisions should, under the direction of the Quartermaster-General, from time to time advertise for proposals for the supplies necessary for the movements and operations of the several armies, and for other military purposes, in newspapers having general circulation in those parts of the country where such supplies could be most advantageously furnished; and all such supplies should be subject to careful inspection; and all clothing and camp and garrison equipage should be subject to a double inspection—first, as to the quality of the material, and second, as to the kind and character of the workmanship. That it should be the duty of the Quartermaster-General to establish depots, from time to time, at places convenient to the principal armies in the field, for receiving and distributing the supplies necessary for such armies. That when an emergency should exist requiring the immediate procurement of supplies for the necessary movements and operations of an army, and when such supplies could not be procured from any established depot of the quartermaster's department, or from the head of the division charged with the duty of furnishing such

supplies, within the required time, then it should be lawful for the commanding officer of such army to order the chief quartermaster of such army to procure such supplies during the continuance of such emergency, but no longer. That it should be the duty of the Quartermaster-General, immediately after the passage of the act, and at least once in every three months thereafter, to require from the principal quartermasters of the several military departments and dépôts, approximate statements of the aggregate amounts of supplies on hand, and estimates of the additional amounts required for the service for the ensuing three months, stating at what places such supplies would be required, and what amounts were legally contracted for but not delivered. That all inspectors of horses, mules, clothing, fuel, forage, lumber, hired transports, and other supplies of the quartermaster's department should be sworn to perform their duties in a faithful and impartial manner, and should, for any corruption, wilful neglect, or fraud in the performance of their duties, be liable to punishment by fine and imprisonment, by sentence of court-martial or military commission. That if any contractor or person furnishing supplies or transportation should give, or offer to give, or cause to be given, to any officer or employee of the quartermaster's department having charge of the receipt or disposition of the supplies or transportation furnished by him, or in any way connected therewith, any money or other valuable consideration, directly or indirectly, all contracts and charters with such person should, at the option of the Secretary of War, be null and void. That whenever it should become necessary to purchase any steam or sailing vessel for the use of the quartermaster's department, the same should be first inspected by one or more competent naval officers. That the officers placed in charge of the several divisions should, during the time that they remain in such charge, each have the rank, pay, and emoluments of a colonel in the quartermaster's department. And that during the continuance of the rebellion, the Secretary of War might assign to duty, as inspectors of the quartermaster's department, six officers, to be selected from the regular and volunteer officers who should have served for not less than one year in that department, who should have, while so assigned and acting, the temporary rank, pay, and emoluments of lieutenant-colonels of the quartermaster's department.

On the eleventh of May, the Senate, on motion of Mr. Wilson, proceeded to the consideration of the bill; the amendments were agreed to, and the bill, as amended, passed without a division.

On the sixteenth, the House, on motion of Mr. McIndoe, of Wisconsin, referred the bill to the Committee on Military Affairs. On the twenty-fourth of June, Mr. Schenck, of Ohio, reported it back with amendments, and on the twenty-eighth, the amendments of the Committee, together with an amendment of Mr. Dawes, of Massachusetts, were agreed to, and the bill as amended passed.

The Senate, on motion of Mr. Wilson, voted to disagree to the amendments of the House and ask a committee of conference on the disagreeing votes. Mr. Wilson, Mr. Trumbull, and Mr. Powell were appointed managers on the part of the Senate.

On the twenty-ninth, the House, on motion of Mr. Schenck, insisted on its amendments; agreed to a committee of conference, and the Speaker appointed Mr. Schenck, of Ohio, Mr. Denning, of Connecticut, and Mr. Ward, of New-York, managers on the part of the House.

On the thirtieth, Mr. Schenck, from the committee of conference, reported that the House recede from its first amendment, that the Senate agree to the other amendments, except the thirty-first amendment, and agree to it with an amendment. The report was agreed to. On the first of July, Mr. Wilson made a report from the conference committee, which was agreed to; and the bill was approved by the President on the fourth of July, 1864.

*No. LXXII.—The Bill to amend the Several Acts for Enrolling and Calling out the National Forces.*

In the Senate, on the twenty-third of May, 1864, Mr. Morgan, of New-York, introduced a bill to prohibit the discharge of persons from liability to military duty by reason of the payment of money, which was read twice and referred to the Committee on Military Affairs. On the twenty-fifth, Mr. Morgan reported it back with amendments.

The Senate, on the eighth of June, on motion of Mr. Wilson, proceeded to the consideration of the bill and amendments. It proposed to repeal so much of the enrolment act as authorized the discharge of persons drafted, on the payment of three hundred dollars for the procurement of a substitute. The Committee reported an amendment to add as a new section, That nothing in the act approved February twenty-fourth, 1864, amending the act approved March third, 1863, for enrolling and calling out the national forces, should be construed to repeal that part of the act approved March third, 1863, which required that the board of enrolment, in making drafts, should "make a draft of the required number and fifty per cent in addition;" and the amendment was agreed to. The Committee also reported an amendment to add as a new section, That section twelve of the "Act for enrolling and calling out the national forces, approved March third, 1863, be so amended that the notice to be served on drafted men might be served within ten days after such draft, or at any time within six months therefrom; and the amendment was agreed to. Mr. Wilson moved to amend by adding as a new section: That the President be authorized, on and after the passage of this act, to call out, for a period not exceeding one year, such number of men as the exigencies of the service might require by draft, according to the provisions of the act approved March third, 1863, entitled, "An act for enrolling and calling out the national

forces," and the act approved February twenty-fourth, 1864, entitled, "An act to amend an act entitled, 'An act for enrolling and calling out the national forces.'" After debate, in which Mr. Conness, Mr. Brown, Mr. Collamer, Mr. Wilson, Mr. Grimes, and Mr. Lane, of Indiana, participated, the Senate adjourned.

On the ninth, the Senate resumed the consideration of the bill, the question being on Mr. Wilson's amendment to draft for one year instead of three years. Mr. Wilson withdrew his amendment to enable Mr. Collamer to offer as an amendment, in four sections: That all calls for drafts thereafter made under the act entitled, "An act for enrolling and calling out the national forces, and for other purposes," approved March third, 1863, and of any act in addition to or amendment thereof, should be for a term not exceeding one year. That this act should not extend to or include drafts to be made in any district or subdivision thereof, to fill its quota on calls already made, but the same should be completed under the laws in force before the passage thereof. That no person drafted on future calls should be liable to be again drafted until the present enrolment should be exhausted. That the number of men furnished from any district for the service of the United States, beyond and above its quota on calls heretofore made, and the term of service of such men, should be considered and allowed to said district in calls thereafter made.

The amendment was discussed at great length by Mr. Collamer, Mr. Brown, Mr. Hendricks, Mr. Nesmith, Mr. Lane, of Indiana, Mr. Richardson, Mr. Doolittle, and Mr. McDougall. The vote was then taken on Mr. Collamer's first section, and it was agreed to—yeas, twenty-two; nays, seventeen. The other sections of Mr. Collamer's amendment were then adopted.

On the twentieth, the Senate, on motion of Mr. Wilson, resumed the consideration of the bill. Mr. Brown moved to amend by adding a new section requiring Indian tribes, having treaties and receiving annuities, to furnish their quotas, the force so furnished to be used in maintaining peace among the Indians, and relieving troops employed against hostile tribes. The amendment was opposed by Mr. Johnson, Mr. Hale, Mr. Saulsbury, Mr. Doolittle, Mr. Hendricks, Mr. Wilson, Mr. Richardson, Mr. Howard, Mr. McDougall, and Mr. Howe, and supported by Mr. Brown, and Mr. Lane, of Kansas. Mr. Doolittle moved to amend Mr. Brown's amendment by substituting for it a provision authorizing the Secretary of War to receive into the military service Indian tribes in treaty with the United States, to be employed as a part of the military force for the purpose of maintaining peace, and protecting from hostile incursion the Indian Territory, and other Territories where the hostile or invading force was in whole or in part composed of hostile Indians; and the amendment to the amendment was agreed to—yeas, twenty-four; nays, twelve. The amendment as amended was then rejected—yeas, ten; nays, twenty-nine. Mr. Wilson moved to amend by adding as a new sec-

tion: That every person who should be drafted under calls thereafter made, and who should serve honorably for a period of one year, should receive a bounty of one hundred dollars, to be paid upon his discharge from the service; and every person so drafted, and who should be honorably discharged after a term of service less than one year, should receive a bounty proportioned to his term of service. Mr. Conness moved to amend the amendment by striking out all after the word "that," and inserting: "From and after the passage of this act, every able-bodied volunteer who shall be accepted and who shall enter into the service of the United States shall be entitled to receive, after one year's service, one hundred dollars in addition to the sum now provided by law." After debate Mr. Conness withdrew his amendment, and the vote was taken on Mr. Wilson's amendment, and it was rejected.

Mr. Wilson moved to amend the bill by adding as a new section, That when a soldier, sick in hospital, should be discharged from the military service, but should be unable to leave, or avail himself of his discharge, in consequence of sickness or wounds, and should subsequently die in such hospital, he should be deemed to have died in the military service; and it was agreed to. Mr. Wilson moved further to amend the bill by adding as a new section, That payments which had been made by paymasters to non-commissioned officers of volunteer regiments from the date of their enlistment, and for a time previous to their muster into the service of the United States, should, if otherwise correct, be allowed, in the settlement of such paymasters' accounts; and it was agreed to. Mr. McDougall moved to amend the first section of the bill by adding: That ten days after the passage of the bill, substitutes should not be allowed in lieu of persons drafted. Mr. Wilson and Mr. Hale opposed it, and it was rejected—yeas, six; nays, thirty-five.

Mr. Ten Eyck, of New-Jersey, moved to amend the bill by adding, as a new section, That every non-commissioned officer, private, or other person, who had been, or should thereafter be, discharged from the army, within two years from the date of their enlistment, by reason of permanent injuries received, or permanent disability contracted, in the line of duty, should be entitled to receive the same bounty, in proportion to the time he might have served, as was granted, or might thereafter be granted, to the same class of persons who were discharged after a service of two years; and it was agreed to. On motion of Mr. Wilson, the bill was further amended by adding that hospital matrons should, after the first of July, 1864, receive twelve dollars per month and one ration.

Mr. Hendricks moved to strike out the first section, repealing the commutation clause of the enrolment act, and it was agreed to—yeas, twenty-one; nays, eighteen. Mr. Conness moved to lay the bill on the table, but the motion was lost—yeas, fifteen; nays, twenty-four. Mr. Sumner moved to amend the bill by requiring drafted

persons to pay, in addition to the three hundred dollars commutation, on all incomes over one thousand dollars and not over two thousand dollars, five per cent; on all incomes over two thousand dollars and not over five thousand dollars, ten per cent; and on all incomes over five thousand dollars, twenty per cent; the money to be paid in bounties to men drafted and mustered into the service. On motion of Mr. Grimes, the bill was recommitted to the Military Committee. On the twenty-first, Mr. Morgan reported back the bill without amendment. The Senate, on motion of Mr. Morgan, proceeded, on the twenty-third, to its consideration. The amendments which had been adopted fell by the recommitment, and the original bill, providing simply for the repeal of the three hundred dollar commutation clause, was reported by the Military Committee. Mr. Morgan moved to amend it by adding, as a second section, the amendment moved by Mr. Collamer: That in calls for drafts thereafter made, under the act "for enrolling and calling out the national forces," and the acts in addition to or amendatory thereof, the same might be made for such term of time as the President should direct, not exceeding one year. Mr. Wilson moved to amend the amendment so as to make it read, "shall be made for one year," lost—yeas, twelve; nays, eighteen. Mr. Chandler moved to amend Mr. Morgan's amendment by striking out "not exceeding one year," and inserting "not less than one nor more than three years;" lost—yeas, sixteen; nays, twenty-three. Mr. Morgan's amendment was then agreed to—yeas, twenty-five; nays, fourteen. Mr. Collamer then moved that the sum paid as commutation money should not exceed five hundred dollars, instead of three hundred dollars; but the amendment was rejected.

Mr. Grimes moved that the amendment proposed by Mr. Collamer, providing that the number of men furnished from any district to the service beyond and above calls theretofore made, and the term of service of such men, should be considered and allowed to said district in calls thereafter made, should be added as a new section; and it was agreed to. On motion of Mr. Grimes, the bill was further amended by adding as a new section an amendment proposed by Mr. Collamer, providing that no person drafted on future calls, or who should volunteer to fill the same, should be liable to be again drafted until the existing enrolment should be exhausted. The bill as amended was then passed—yeas, twenty-four; nays, seven.

In the House, on the twenty-first of June, Mr. Schenck, from the Military Committee, reported a bill to further regulate and provide for enrolling and calling out the national forces. Mr. Randall, of Pennsylvania, objected to its second reading. On the question, should the bill be rejected, the yeas were seventy-five, and the nays were seventy-five; the Speaker voted nay, and the bill was not rejected. Mr. Blaine, of Maine, moved to strike out the two first sections, providing that no payment of money should be ac-

cepted by the Government to release any drafted person from the performance of military duty, and that no substitute should be accepted for a drafted person, unless he be the father, brother, or son of the drafted man. The question, after debate, was taken on the motion striking out the first section; and it was agreed to—yeas, one hundred; nays, fifty. The second section was then stricken out without a division. Mr. Broomall, of Pennsylvania, moved a substitute for the bill. Mr. Fenton, of New-York, moved to amend it by adding that the President should accompany any order for a draft of men for military service with a notice that he would accept volunteers or substitutes in lieu of such drafted men prior to the day appointed for the draft, to fill up the quota or any part thereof, of any town, township, ward, precinct, or election district, or of any county not so sub-divided; and every person so volunteering, in lieu of a man to be drafted, should be credited to such town, township, ward, precinct, or election district, or county not so sub-divided; and if he volunteered, or was offered as a substitute for a drafted man, and was accepted and mustered into the service for a term of one year, unless sooner discharged, should receive and be paid by the United States a bounty of one hundred dollars; and if for a term of two years, unless sooner discharged, a bounty of two hundred dollars; and if for a term of three years, unless sooner discharged, a bounty of three hundred dollars; one half of which said bounty should be paid to the soldier at the time of his being mustered into the service, one fourth at the expiration of one half his term of service, and one fourth at the end of his term of service.

Mr. Ashley, of Ohio, moved to strike out of the amendment, “be credited to such town, township, precinct, or election district,” and insert in lieu the words, “if subject to enrolment, be credited to the town, township, precinct, or election district in which he may be liable to enrolment; if not so subject, to the town, township, precinct, or election district in which he may have volunteered;” and it was agreed to—yeas, sixty-four; nays, forty-one. On motion of Mr. Boutwell, it was further amended by adding: That no volunteer or substitute who should be honorably discharged previous to the expiration of the term of his enlistment, should be entitled to his full bounty for the term of his enlistment. Mr. Ingersoll moved to amend, by adding after the word “service” the words, “But in case of his death when in said service, the residue of his bounty shall be paid to his legal representatives; and in case of his honorable discharge from wounds or sickness incurred in the service, he shall receive the full bounty;” and it was agreed to. Mr. Farnsworth then moved that the bill be laid upon the table, but the motion was lost. Mr. Fenton’s amendment as amended was then agreed to.

On the twenty-fifth, the House resumed the consideration of the bill, and Mr. Schenck offered a substitute for the substitute moved by Mr. Broomall. The substitute, in eight sections, pro-

vided: For the repeal of the three hundred dollar commutation. For drafting for a period not less than one year. For a bounty of one hundred dollars for one year, two hundred dollars for two years, and three hundred dollars for three years. For allowing drafted men to select their organizations, when not filled. For discharging minors under eighteen years of age, and forbidding officers to muster into the service minors under sixteen years of age. For allowing provost-marshals to make a draft of fifty per cent in addition to the number required to fill the quota. For allowing to drafted persons transportation. For the enlistment of volunteers in the rebel States.

The bill was debated by Mr. Schenck, Mr. Odell, of New-York, Mr. Garfield, of Ohio, Mr. Mallory, of Kentucky, Mr. Blair, of Missouri, Mr. Dawes and Mr. Boutwell, of Massachusetts, and Mr. Kernan and Mr. Fernando Wood, of New-York. Mr. Cox moved to lay it on the table; but the motion was lost—yeas, fifty-seven; nays, seventy-eight. The main question was then ordered, and the House adjourned.

On the twenty-seventh the House resumed the consideration of the bill. Mr. Schenck demanded the yeas and nays on his amendment, and they were ordered. The amendment was lost—yeas, sixty-two; nays, ninety-one. The vote was then taken on Mr. Broomall’s substitute, and it was rejected. Mr. Stevens moved an amendment as a substitute, in ten sections. Mr. Eliot, of Massachusetts, proposed ten additional sections, giving credit for naval enlistments, and allowing additional time for persons drafted who should be absent in pursuit of their business; and Mr. Stevens accepted them as part of his amendment. Mr. Blair moved to amend the original bill by adding, That thereafter no person should be received or accepted to serve in the army as a substitute for any other person liable to military duty, and who might have been enrolled or drafted for that purpose; but the amendment was rejected—twenty-five voting for it, and ninety-three against it.

Mr. Schenck moved to amend the bill by adopting a substitute for the substitute of Mr. Stevens. The substitute, he said, was the Senate bill on the table of the House. The substitute was lost—yeas, fifty-eight; nays, ninety-two. The vote was then taken on Mr. Stevens’s substitute, and it was lost—yeas, twenty-three; nays, one hundred and twenty.

Mr. Smithers, of Delaware, offered a substitute for the original bill. It provided: That the President might call for any number of men as volunteers, for the respective terms of one, two, and three years, and any person mustered into the service for the term of one year, unless sooner discharged, should receive and be paid by the United States a bounty of two hundred dollars; and if for a term of two years, unless sooner discharged, a bounty of three hundred dollars; and if for a term of three years, unless sooner discharged, a bounty of four hundred dollars. That in case the quota or any part thereof of any town,

township, ward, precinct, or election district, or of any county not so subdivided, should not be filled within the space of sixty days after such call, then the President should order a draft for one year to fill such quota or any part thereof which might be unfilled; and in case of any such draft, no payment of money should be accepted or received by the Government as commutation to release any enrolled or drafted man from personal obligation to perform military service. That it should be lawful for the executive of any of the States to send recruiting agents into any of the States declared to be in rebellion, to recruit volunteers under any call under the provisions of this act, who should be credited to the State and to the respective subdivisions thereof which might procure the enlistment. That drafted men, substitutes, and volunteers, when mustered in, should be organized into or assigned to regiments, batteries, or other organizations of their own States, and, as far as practicable, should, when assigned, be permitted to select their own regiments, batteries, or other organizations from among those of their respective States, which, at the time of assignment, might not be filled to their maximum number. That the Secretary of War should discharge minors under the age of eighteen years, under the circumstances and on the conditions prescribed in said section; and thereafter, if any officer of the United States should knowingly enlist or muster into the military service any person under the age of sixteen years, with or without the consent of his parent or guardian, such person so enlisted or recruited should be immediately and unconditionally discharged; and such recruiting or mustering officer should be dismissed the service with forfeiture of all pay and allowances. That section three of an act entitled, "An act to amend an act entitled, 'An act for enrolling and calling out the national forces, and for other purposes,'" approved February twenty-fourth, 1864, be amended so as to authorize and direct district provost-marshals, under the direction of the Provost-Marshal General, to make a draft for fifty per cent in addition to the number required to fill the quota of any district, as provided by said section. That instead of travelling pay, all drafted persons reporting at the place of rendezvous should be allowed transportation from their places of residence; persons discharged at the place of rendezvous should be allowed transportation to their places of residence. That all persons in the naval service of the United States, who had entered said service during the present rebellion, who had not been credited to the quota of any town, district, ward, or State, by reason of their having been in said service and not enrolled prior to February twenty-fourth, 1864, should be enrolled and credited to the quotas of the town, ward, district, or State in which they respectively resided. That if any person duly drafted should be absent from home in prosecution of his usual business, the provost-marshal of the district should cause him to be duly notified as soon as might be, and he should not be deemed a de-

serter, nor liable as such, until notice had been given to him and reasonable time allowed for him to return and report to the provost marshal of his district; but such absence should not otherwise affect his liability under the act. The vote was then taken on the substitute; and it was lost—yeas, seventy-five; nays, seventy-seven.

On the twenty-eighth, Mr. Blair, of West-Virginia, moved to reconsider the vote on Mr. Smithers's substitute. Mr. Holman moved to lay the motion on the table—yeas, seventy-three; nays, eighty-five. Mr. Blair's motion to reconsider the vote was then agreed to—yeas, eighty-three; nays, seventy-one. Mr. Smithers's amendment, in the nature of a substitute, was then agreed to—yeas, eighty-one; nays, seventy-five. Mr. Stevens moved further to amend the bill by adding that nothing contained in the act should be construed to alter, or in any way affect the law relative to those conscientiously opposed to bearing arms. Mr. Pike, of Maine, moved to amend Mr. Stevens's amendment requiring the enrolment of persons between forty-five and fifty years of age; but it was lost—yeas, forty-seven; nays, one hundred and two. Mr. Stevens's amendment was then agreed to—yeas, seventy-seven; nays, sixty-four. The bill, as amended, was then passed—yeas, eighty-two; nays, seventy-seven.

In the Senate, on the twenty-ninth, Mr. Wilson, from the Committee on Military Affairs, to which the bill had been referred, reported it back with amendments. On motion of Mr. Wilson, the Senate, in the evening session, proceeded to its consideration. After being debated and amended in several particulars, Mr. Grimes moved to amend it by substituting for it the bill that passed the Senate; and the amendment was agreed to. Mr. Ten Eyck moved to amend the substitute by adding as a new section, That all enlistments that had been made into the naval service or marine corps since the passage of the act to amend an act entitled, "An act for enrolling and calling out the national forces," and which should thereafter be made into the naval service or marine corps, should be allowed and credited to the appropriate township, precinct, or district, on account of which such enlistments had been or might be made, in the same manner as enlistments for the army were allowed and credited to the several townships, precincts, or districts; and the amendment was agreed to. Mr. Sherman moved to amend by adding as a new section, "That for the purpose of paying the bounties and of enforcing the draft, there be levied and collected, in addition to the duties imposed by law, a special duty of five per cent on all incomes exceeding six hundred dollars, accruing during the year 1864;" and the amendment was agreed to—yeas, twenty-five; nays, seven. Mr. Powell, of Kentucky, moved to add a section forbidding any State to reenlist in other States; and it was agreed to. The bill as amended was then passed.

On the thirtieth, Mr. Stevens moved that the amendment to assess on incomes a tax to pay the bounties, and to carry into effect the enrol-

ment act, in the opinion of the House, contravened the first clause of the seventh section of the first article of the Constitution of the United States, and was an infringement on the privileges of the House, and that the bill, with the amendments, be respectfully returned to the Senate, with a message communicating the resolution; and the motion was agreed to. The Senate returned the bill to the House, with the section objected to left out. The House proceeded to consider the bill, and after debate, in which Mr. Dawes, Mr. Wilson, Mr. Schenck, and Mr. Harding participated, Mr. Le Blond, of Ohio, moved that no levy of troops should be made under the provisions of the act, except by volunteering, till such time as the President of the United States should have made a request for an armistice, and should have made such efforts as were consistent with honor to restore harmony among the States by the appointment of commissioners, empowered to negotiate for peace upon terms of the restoration of the Union under the Constitution, and until such efforts should have been rejected by the so-called confederate government. Mr. Cox moved to lay the whole subject on the table; lost—yeas, forty-three; nays, fifty-seven. The vote was then taken on Mr. Le Blond's amendment, and it was rejected—yeas, eleven; nays, eighty-nine.

On the first of July, the House, on motion of Mr. Schenck, resumed the consideration of the bill. Amendments were offered by Mr. Davis, of Maryland, Mr. Morrill, Mr. Orth, Mr. Thomas, and Mr. Garfield. The amendments of Mr. Thomas and Mr. Davis were rejected, and those of Mr. Morrell, Mr. Orth, and Mr. Garfield agreed to. The amendment of the Senate, as amended, was then disagreed to, and, on motion of Mr. Schenck, the House asked a committee of conference, and the Speaker appointed Mr. Garfield, Mr. Smithers, and Mr. Kernan managers on the part of the House.

The Senate, on motion of Mr. Wilson, insisted upon its amendments, agreed to the committee of conference, and appointed Mr. Wilson, Mr. Morgan, and Mr. Lane, of Indiana, managers. On the twenty-second, Mr. Wilson, from the conference committee, reported "that the Senate re-cede from its amendments to the House bill, and agree to it with several amendments." After debate, the vote was taken on concurring in the report, and it was non-concurred in—yeas, sixteen; nays, eighteen. On motion of Mr. Sherman, the Senate insisted on its amendments to the bill, and asked a further conference on the disagreeing votes of the two Houses—yeas, twenty-eight; nays, eight. Mr. Foster moved a reconsideration of the vote, and it was re-considered—yeas, twenty; nays, seventeen. Mr. Sherman then withdrew his motion. On motion of Mr. Conness, the Senate reconsidered its vote non-concurring in the report of the committee of conference—yeas, eighteen; nays, seventeen. The vote was then taken on concurring in the conference committee's report; and it was agreed to—yeas, eighteen; nays, seventeen. In the

House, Mr. Garfield made the report from the committee of conference, and it was agreed to—yeas, sixty-six; nays, fifty-five. The bill was approved by the President on the fourth of July, 1864.

No. LXXIII.—*The Joint Resolution expressive of the Thanks of Congress to the Veteran Soldiers who have reënlisted in the Army.*

In the House, on the seventeenth of February, 1864, Mr. Farnsworth, of Illinois, introduced a joint resolution expressive of the thanks of Congress to the veteran soldiers who have reënlisted in the army. It declared that the thanks of Congress are given to those noble and brave men who, having so gallantly endured the hardships and perils of war for more than two years, in support of their country's flag, present the sublime spectacle of again voluntarily enrolling themselves in the army of the Union for another three years' campaign, or so long as the war shall continue; and that the Secretary of War cause the resolution to be read to each of the veteran regiments who had reënlisted, or should reënlist. The joint resolution was passed without a division.

In the Senate, on the first of March, Mr. Wilson, from the Committee on Military Affairs, to which it had been referred, reported it back without amendment. The resolution was unanimously passed, and it was approved by the President on the twenty-second day of March, 1864.

No. LXXIV.—*The Bill to increase the Number of Cadets in, and to raise the Standard of Admission to, the Military Academy.*

In the Senate, on the twentieth of December, 1864, Mr. Wilson introduced a bill to increase the number of cadets in, and to raise the standard of admission to, the Military Academy, which was read twice and referred to the Military Committee. The bill provides: "That the President of the United States may appoint, in addition to the number of cadets heretofore authorized by law, two cadets for each State represented in Congress, who shall be actual residents of the State for which they may be appointed, and fifty cadets to be appointed from the military forces of the United States, regular and volunteer, who shall have served for a period of not less than one year. That no person shall hereafter be admitted as a cadet at the Military Academy who shall be less than seventeen or more than twenty years of age on the first day of July in the year of his admission. That on and after the first day of July, 1866, no person shall be admitted as a cadet at the Military Academy until he shall have passed a full and satisfactory examination in the following-named branches of education: First. Spelling, reading, writing, and the grammatical construction of the English language. Second. An outline of the physical and political geography and of the history of the United States. Third. Arithmetic, to include the decimal numeration, the four ground rules, the tables of the standard weights and measures, and the coins of

the United States, England, and France; reduction of weights, measures, and so forth; vulgar and decimal fractions, and ratios and proportions. Fourth. Algebra, to include the solution and discussion of equations of the second degree. Fifth, Geometry, to comprise the principal theorems and problems of plane geometry which treat of right lines, angles, triangles, polygons, and the circle. That the President may, from time to time, upon the recommendation of the Annual Board of Visitors and the Academic Board of the Military Academy, make such changes in the qualifications for admission provided for in the preceding section as may be deemed necessary. That on and after the first day of July, 1866, no person shall be admitted a cadet at the Military Academy, nor shall any cadet receive a commission in the army, who has not undergone a medical examination, and been pronounced physically qualified for the duties of a soldier." The bill was not reported back from the Military Committee.

No. LXXV.—*The Joint Resolution tendering the Thanks of the People and of Congress to Major-General William T. Sherman, and the Officers and Soldiers of his Command, for their gallant Conduct in their brilliant Movement through Georgia.*

In the House, on the fifth of January, 1865, Mr. Cole, of California, introduced a joint resolution tendering the thanks of Congress to Major-General William T. Sherman. The resolution declared: That the thanks of the people and of Congress be tendered to Major-General William T. Sherman, and through him to the officers and men under his command, for their gallantry and good conduct in their brilliant expedition through Georgia. On motion of Mr. Garfield, the resolution was referred to the Committee on Military Affairs.

On the sixth, Mr. Schenck, from the Military Committee, reported back the resolution with a substitute, enlarging its scope so as to include the campaign from Chattanooga to Atlanta. The substitute provided: "That the thanks of the people and of the Congress of the United States be tendered to Major-General William T. Sherman, and through him to the officers and men under his command, for their gallantry and good conduct in their campaign from Chattanooga to Atlanta, and the triumphal march thence through Georgia to Savannah, terminating in the capture and occupation of that city; and that the President cause a copy of the resolution to be engrossed and forwarded to General Sherman." The substitute was agreed to, and the joint resolution as amended passed.

In the Senate, a message was received from the House announcing the passage of the joint resolution tendering the thanks of the people and of Congress to Major-General Sherman, his officers and men. On motion of Mr. Lane, of Indiana, the resolution was taken up for consideration. Mr. Trumbull moved its reference to the Committee on Military Affairs. In making

the motion, he said: "The whole country appreciates—I certainly do—the distinguished services of Major-General Sherman; but I think we had better not take the resolution out of the ordinary course." Mr. Johnson declared that, "however proper it might have been, even if there were a uniform rule, to make the reference suggested by the Senator from Illinois, yet, as the motion of the Senator from Indiana was to take the resolution up that it might be acted upon at once, a delay now in acting upon it, (although I am sure such is not the motive that governs the Senator from Illinois, or would govern any other member of the Senate,) would be considered, perhaps, by the public as an intimation or an indication that there was, on the part of some one member of the Senate, an unwillingness to award this tribute to that gallant officer and his men." Mr. Foster said: "The thanks of Congress to an officer for gallant service I deem to be an honor and a great honor; but it is only when they are cordially and without hesitation offered. If we are to hesitate and higgle about thanking an officer or an army, I think we had better do nothing about it. I hope we shall act upon this resolution without a reference." "When General Sherman," said Mr. Clark, "cut loose from Atlanta, and marched upon the coast, it was said that he violated all the proprieties and rules of the military service. I would be glad, in this instance, to violate the practice of the Senate, and give him the thanks of Congress." Mr. Davis said the vote of thanks would have more moral value to the hero it was intended to honor if it were done deliberately and according to the practice of the Senate. The motion to refer was lost, and the joint resolution was unanimously passed, and approved by the President on the tenth of January, 1865.

No. LXXVI.—*The Resolution to present the Thanks of Congress to Major-General Alfred H. Terry, and the Officers and Men under his Command.*

In the Senate, on the eighteenth of January, 1865, Mr. Dixon, of Connecticut, introduced a joint resolution tendering the thanks of Congress to Major-General Alfred H. Terry for the brilliant victory of Fort Fisher, and it was read twice and referred to the Military Committee. On the nineteenth, Mr. Wilson, from the Military Committee, reported it back in a new draft. The amendment of the Committee was to strike out after the resolving clause, and insert: "That the thanks of Congress be presented to Major-General Alfred H. Terry, and to the officers and men under his command, for the unsurpassed gallantry and skill exhibited by them in the attack upon Fort Fisher, and the brilliant and decisive victory by which that important work had been captured from the rebel forces, and placed in the possession and under the authority of the United States, and for their long and faithful service and unwavering devotion to the cause of the country in the midst of the greatest difficulties and dangers."

*"And be it further resolved,* That the President of the United States be requested to communicate this resolution to Major-General Terry, and through him to the officers and soldiers under his command. The amendment was agreed to. The joint resolution passed, and the title was so amended as to read: "A joint resolution to present the thanks of Congress to Major-General Alfred H. Terry and the officers and men under his command."

In the House, on the twentieth, the joint resolution was reported back by Mr. Schenck from the Military Committee, to whom it had been referred, with an amendment inserting the word "brevet" before "major-general." The amendment was agreed to; the joint resolution as amended passed; the Senate concurred in the amendment, and it was approved by the President on the twenty-fourth of January, 1865.

No. LXXVII.—*The Joint Resolution to present the Thanks of Congress to Major-General Philip H. Sheridan, and the Officers and Men under his Command.*

In the House, on the twenty-third of January, 1865, Mr. Washburne, of Illinois, introduced a joint resolution tendering the thanks of Congress to Major-General Sheridan, his officers and men, which was read twice, and referred to the Committee on Military Affairs. On the twenty-fifth, Mr. Deming, of Connecticut, reported it back with an amendment in the nature of a substitute. The substitute declared: That the thanks of Congress be tendered to Major-General Philip H. Sheridan and the officers and men under his command, for the gallantry, military skill, and courage displayed in the brilliant series of victories achieved by them in the valley of the Shenandoah, and especially for their services at Cedar Run, on the nineteenth of October, 1864, which retrieved the fortunes of the day and averted a great disaster; and it further requested the President of the United States to communicate the resolution to Major-General Sheridan, and through him to the officers and soldiers under his command. The substitute was agreed to, and the resolution as amended passed—yeas, one hundred and thirty-one; nays, two. In the Senate, on the first day of February, Mr. Wilson, from the Committee on Military Affairs, to whom it had been referred, reported back the joint resolution without amendment. By unanimous consent it was considered and passed, and was approved by the President on the ninth of February, 1865.

No. LXXVIII.—*The Bill to increase the Pay of the Officers of the Army, and for other purposes.*

In the House, on the eighteenth of February, 1865, Mr. Yeaman, of Kentucky, from the Committee on Military Affairs, reported a bill to increase the pay of officers of the army. The first section provided that officers of the army should be exempt from the tax on their pay. The second section provided that during the rebellion, the pay proper of staff and line-officers of the army below the rank of brigadier-general, should be:

Colonels of infantry and artillery, one hundred and forty dollars; lieutenant-colonels, one hundred and twenty dollars; majors, one hundred and five dollars; captains, ninety dollars; first lieutenants, seventy-seven dollars; second lieutenants, seventy dollars; colonels of all other arms of the service, one hundred and sixty-five dollars; lieutenant-colonels, one hundred and forty dollars; majors, one hundred and fifteen dollars; captains, one hundred and two dollars and fifty cents; lieutenants, eighty dollars and thirty-three cents. The third section provided: That hereafter, whenever any officer or soldier should be discharged from the service, except by way of punishment for an offence, he should be furnished transportation from the place of his discharge to his then actual place of residence; or, in case transportation could not be furnished by the Government, then he should be paid the actual cost of travelling in money. On motion of Mr. Rice, of Massachusetts, the bill was so amended as to include naval officers. Mr. Ross, of Illinois, moved to amend it so as to increase the pay of soldiers to twenty dollars per month, and it was agreed to—yeas, eighty-two; nays, thirty-three. On motion of Mr. Farnsworth, of Illinois, the pay of assistant surgeons was increased to one hundred and twenty-five dollars per month. On motion of Mr. Garfield, the bill was recommitted to the Committee on Military Affairs.

No. LXXIX.—*The Bill to increase the Efficiency of the Medical Corps of the Army.*

In the House, on the twenty-first of June, 1864, Mr. Schenck, from the Committee on Military Affairs, reported a bill to increase the efficiency of the medical corps of the army, which was passed without opposition. On the second of July, Mr. Morgan, of New-York, from the Committee on Military Affairs, to which it had been referred, reported it back to the Senate.

In the Senate, on the twenty-third of February, 1865, Mr. Wilson, from the Committee on Military Affairs, to whom it had been recommitted, reported back the House bill to increase the efficiency of the medical corps of the army without amendment. It provided: That the medical director of an army in the field consisting of two or more army corps, and the medical director of a military department in which there were United States general hospitals containing four thousand beds or upward, should have the rank, pay, and emoluments of a colonel of cavalry; and that the medical director of an army corps in the field, or of a department in which there were United States general hospitals containing less than four thousand beds, should have the rank, pay and emoluments of a lieutenant-colonel of cavalry. This increased rank and pay should only continue to medical officers while discharging such special duties; and the assignments from time to time to such duty should be at least two thirds of them made from among the surgeons and assistant surgeons of volunteers. Mr. Hale desired to know what

would be "the increased pay of these officers, and how many of them would be increased." Mr. Wilson replied, that the medical director of an army in the field consisting of two or more corps, would be increased from a major to a colonel, and so with a medical director of a military department where there were United States general hospitals containing four thousand beds and upward. Wherever there was an army consisting of more than one corps, the medical director would be increased in rank. Some of the directors of large armies, after being in service for a long while—three years—were simply majors, with the same rank and pay with which they entered the service, and a great many of our best surgeons were leaving the service. They had no opportunity for promotion. No service, no fidelity, brought them an increase of pay or any reward whatever. Many of them were leaving the service and returning home, and it was with the greatest difficulty that we were getting the necessary surgeons for the army; and unless some action was taken, a great many of our best surgeons would leave the service. It was in the power of a good surgeon to render immense service to the country, and to save thousands and tens of thousands of dollars in the army and in the large departments and hospitals. Mr. Hale opposed the passage of the bill, and demanded the yeas and nays, and they were ordered on its passage—yeas, twenty-five; nays, three. So the bill passed and was approved by the President on the twenty-fifth of February, 1865.

#### No. LXXX.—*Army Register.*

In the House, on the eighteenth of February, Mr. Schenck, from the Committee on Military Affairs, reported a joint resolution authorizing and requiring the Secretary of War in connection with the army register of 1865, to cause to be printed and published a full roster of all general, field, line, and staff-officers of volunteers who had been in the army during the rebellion. It was passed without a division.

In the Senate, the joint resolution was referred to the Committee on Military Affairs; and on the twenty-second of February it was reported back by Mr. Wilson with amendments. The first amendment was to strike out all after the word "required," in the second line, to and including "sixty-five," in line three, so that it would read: "That the Secretary of War be authorized and required to cause to be printed and published a full roster of all general, field, line, and staff-officers of volunteers." The amendment was agreed to. The second amendment was after the word "States," in the sixth line, to insert "at any time;" so that the clause would read, "who have been in the army of the United States at any time." The amendment was agreed to. The third amendment was after the word "rebellion," in the sixth line, to insert the words, "including all informal organizations which have been recognized or accepted and paid by the United States." The amendment was agreed to.

The fourth amendment was to strike out in the tenth line, the word "fifty," and insert in lieu of it, "twenty-five," so that the clause would read, "an edition of twenty-five thousand copies." The amendment was agreed to. The fifth amendment, was after the word "binding," in the fifteenth line, to strike out the words, "and shall not in any case exceed one dollar per volume." The amendment was agreed to, and the resolution as amended passed. The House concurred in these amendments, except the last one. The Senate, on motion of Mr. Wilson, receded from its fifth amendment. So the joint resolution was passed, and approved by the President on the second of March, 1865.

#### No. LXXXI.—*The Bill for the better Organization of the Subsistence Department.*

In the House, on the fifteenth of December, 1864, Mr. Schenck, of Ohio, reported from the Committee on Military Affairs a bill for the better organization of the subsistence department, which was read twice and recommitted. On the eighteenth of February, 1865, Mr. Schenck reported back the bill with amendments, which were agreed to. The bill provided: That during the continuance of the rebellion, the Secretary of War might assign to each geographical military division, to each separate army in the field consisting of more than one army corps, to each military department, and to each principal subsistence dépôt, not exceeding ten in number, an officer of the subsistence department to act as chief commissary, and also an officer of the subsistence department as assistant in the office of the Commissary General of Subsistence, each of whom, while so assigned and acting, should have the rank, pay, and emoluments of a colonel of the subsistence department; and, in like manner, might assign, for purposes of inspection or other special duty in the subsistence department, commissaries of subsistence, not exceeding six in number, each of whom, while so assigned and acting, should have the temporary rank, pay, and emoluments of a lieutenant-colonel of the subsistence department; and to each army corps an officer of the subsistence department, to be chief commissary of the corps, with the like rank of lieutenant-colonel; and, in like manner, might assign to each division of two or more brigades a commissary, who, while so assigned and acting, should have the rank, pay, and emoluments of a major of the subsistence department: *Provided*, That when any one of said officers was relieved from such duty, his increased rank, pay, and emoluments, allowed because of such assignment, should cease, and he should return to his commissioned rank in the subsistence department: *And provided further*, That the officers authorized to be assigned by the act should be selected from the commissaries of subsistence who held commissions or rank in the volunteer service only.

The second section provided that the President might appoint, by and with the advice and consent of the Senate, as many commissaries of subsistence of volunteers, with the rank of cap-

tain, as the exigencies of the service might require. The bill, as amended, was passed without debate.

In the Senate, on the twenty-second, Mr. Wilson, from the Committee on Military Affairs, to whom it had been referred, reported back with amendments the House bill for the better organization of the subsistence department. On the twenty-third, the Senate, on motion of Mr. Wilson, proceeded to consider the bill and the amendments reported by the Military Committee. The House bill excluded all army officers from the promotions provided for by the bill; and the Committee reported an amendment, giving at least two thirds in each grade to commissaries in the volunteer service; and the amendment was agreed to. On motion of Mr. Trumbull, the second section authorizing the appointment of as many commissaries as the exigencies of the service might require was stricken out. The bill as amended was then passed without a division.

On the eighteenth of March, Mr. Schenck moved to take from the Speaker's table the bill for the better organization of the commissary department. The motion was agreed to, and the amendments of the Senate non-concurred in. The Senate on the third, on motion of Mr. Wilson, insisted on its amendments. The House insisted upon its disagreement, and asked a committee of conference. The Senate, on motion of Mr. Wilson, agreed to a committee of conference, and appointed Mr. Morgan, of New-York, Mr. Sprague, of Rhode Island, and Mr. Powell, of Kentucky, managers. Mr. Morgan, from the committee of conference, reported, that the proviso should read: That the officers authorized by the act should be selected for each grade from the commissaries of subsistence who held commissions or rank in the volunteer service, and in the regular subsistence department, in proportion to the number of each of said classes respectively in service at the date of its passage. The report was concurred in. The House adopted the report on motion of Mr. Schenck, and the bill was approved by the President on the third of March, 1865.

**No. LXXXII.—*The Bill more effectually to provide for the National Defence by Establishing a Uniform Militia throughout the United States.***

In the Senate, on the ninth of February, 1865, Mr. Wilson, of Massachusetts, introduced a bill to establish a uniform militia throughout the United States, which was read twice and referred to the Committee on Military Affairs.

On the twenty-second of February, Mr. Wilson reported it back. It consisted of ten sections, and provided:

1st. That every male citizen, or person who had declared his intention to become such, between twenty-one and forty-five years of age, should be enrolled in the militia.

2d. That the following should be enrolled but exempted, namely: The Vice-President, judicial and executive officers, members of Congress and

officers, custom-house officers and clerks, inspectors of exports, pilots, mariners in service, officers who had served three years in the army, navy, or militia, soldiers and sailors in the army or navy, artificers or workmen in the armories, postmasters and assistants, post-officers, post-riders and stage-drivers in the service of the United States, ferrymen on post-roads, telegraph operators on duty, Quakers and Shakers, and all persons then or thereafter exempted from militia duty by State law.

3d. Idiots, lunatics, common drunkards, vagabonds, paupers or criminals should not be allowed to serve.

4th. Arranged the militia into divisions, brigades, regiments, battalions, companies, and batteries, and enumerates the rank and number of officers to be attached thereto, also the number of privates.

5th. Established a militia bureau in the War Department for the carrying out of all laws pertaining to the militia.

6th. Designated the title of the chief officer of such bureau, and defines his duty.

7th. Secretary of War authorized to appoint clerks, and classify and pay them.

8th. Assistant adjutant-generals were to be appointed in each State, and coöperate with chief of bureau, and defines their duties.

9th. When the militia was called out or accepted by the President, pay and pensions were to be the same as to the regular army.

10th. Repeals certain acts relative to militia then in operation.

No action was taken on this bill during the remainder of the session.

**No. LXXXIII.—*The Joint Resolution to encourage the Employment of Disabled and Discharged Soldiers.***

In the Senate, on the fourteenth of February, 1865, Mr. Wilson, from the Committee on Military Affairs, to whom was referred the petition of citizens of Boston, praying the enactment of a law preferring the appointment to all inferior offices of persons honorably discharged from the military or naval service, submitted a report and joint resolution to encourage the employment of disabled and discharged soldiers. The report set forth: That it was the imperative duty of the national and State governments to give the preference for appointments in the various civil offices to persons who had been honorably discharged from the military or naval service of the United States, or who had suffered permanent disability while in the service, provided they possessed the qualifications necessary to properly discharge the duties of such offices. The number of civil offices, however, in the various departments of the government, though large at present, bore but a small proportion to the number of persons who had honorably served their country in the field, and who had been disabled by wounds or disease incurred in the line of duty. The great mass of the men who had served the country in the army and navy must,

of necessity, engage again in the varied avocations of civil life. While it was, therefore, the duty of the national government, in its civil appointments, to give the preference to men who had been maimed by wounds, or broken by disease, it was the sacred duty of bankers, merchants, manufacturers, mechanics, farmers, and business men in all the various avocations, to give the preference in all industrial pursuits to soldiers who had been honorably discharged from the service of their country. The joint resolution declared that persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty, should be preferred for appointments to civil offices, provided they should be found to possess the business capacity necessary for the proper discharge of the duties of such offices; that, in grateful recognition of the services, sacrifices, and sufferings of persons honorably discharged from the military and naval service by reason of wounds, disease, or the expiration of terms of enlistment, it was respectfully recommended to bankers, merchants, manufacturers, mechanics, farmers, and persons engaged in industrial pursuits, to give them the preference for appointments to remunerative situations and employments.

On the twenty-third of March, on motion of Mr. Wilson, the joint resolution was taken up, and it passed without division in both Houses, and was approved by the President on the third of March, 1865.

*No. LXXXIV.—The Bill to provide for a Chief of Staff to the Lieutenant-General Commanding the Armies of the United States.*

In the Senate, on the twenty-fifth of February, 1865, Mr. Wilson introduced a bill to provide for a chief of staff to the Lieutenant-General commanding the armies of the United States, which was read twice, and referred to the Military Committee. On the first day of March, Mr. Wilson reported it back without amendment. By unanimous consent, the Senate proceeded to consider the bill, which provided that the President of the United States might, by and with the advice and consent of the Senate, appoint a chief of staff to the Lieutenant-General commanding the armies of the United States, who should have the rank, pay, and emoluments of a brigadier-general in the United States army. It was passed without debate or opposition. On the second of March, the House, on motion of Mr. Schenck, took the bill from the Speaker's table, and passed it without opposition. It was approved by the President on the third of March, 1865.

*No. LXXXV.—The Joint Resolution tendering the Thanks of Congress to Major-General George H. Thomas, and the Army under his Command.*

In the House, on the nineteenth of January, 1865, Mr. Cox, of Ohio, introduced a joint resolution, tendering the thanks of Congress to Major-

General George H. Thomas and the army under his command, which was read twice, and referred to the Military Committee. On the twentieth, Mr. Garfield, of Ohio, reported it back, with an amendment in the nature of a substitute. The amendment proposed by the Military Committee was, to strike out all after the word "resolved," and insert: "That the thanks of Congress be tendered to Major-General H. Thomas, and the officers and soldiers under his command, for their skill and dauntless courage, by which the rebel army under General Hood was signally defeated and driven from the State of Tennessee." The amendment was agreed to, and the resolution as amended passed.

In the Senate, on the eleventh of February, Mr. Wilson, from the Committee on Military Affairs, to whom it had been referred, reported back the joint resolution, tendering the thanks of Congress to Major-General Thomas, without amendment. On the twentieth, Mr. Brown, of Missouri, called up the resolution, and proposed an amendment, tendering the thanks of Congress to Rear-Admiral S. P. Lee. The amendment was received and ordered to be printed. On the twenty-first, the Senate, on motion of Mr. Wilson, proceeded to consider the joint resolution. On motion of Mr. Brown, it was amended, by adding that the thanks of Congress be tendered to Captain S. Phillips Lee, and to the officers and seamen under his command, for the skill, gallantry, and good conduct exhibited by them in co-operation with the land forces under command of Major-General Thomas in the great and decisive victories in Tennessee. The resolution as amended was then passed.

On the third of March, Mr. Schenck, from the Committee on Military Affairs, reported back the joint resolution, with a recommendation that the amendment tendering the thanks of Congress to Captain Lee be not concurred in; and the amendment was not agreed to.

The Senate, on motion of Mr. Brown, receded from its amendment, and the joint resolution was passed, and was approved by the President on the third of March, 1865.

*No. LXXXVI.—The Bill for the Better Organization of the Pay Department of the Army.*

In the Senate, on the thirtieth of January, 1865, Mr. Wilson introduced a bill for the better organization of the pay department of the army, which was read twice, and referred to the Military Committee. On the ninth of February, Mr. Wilson reported it back without amendment. It provided that the Paymaster-General should have the rank, pay, and emoluments of brigadier-general. That there should be added to the pay department two assistant paymaster-generals, who should be *ex-officio* inspector-generals of the department, with the rank, pay, and emoluments of colonels of infantry. That the appointments to these offices should be made by selection from the officers of the pay department, including the additional paymasters and the chief clerk, and who should have had at least

two years' service. That the assistant and deputy paymaster-generals should give bonds. That whenever a pay district should be established, for the charge of which no assistant or deputy paymaster-general should be available as chief, the Secretary of War might detail any paymaster or additional paymaster to do the duties of such chief; and during the continuance of such detail, the officer so detailed should have the rank, pay, and emoluments of a deputy paymaster-general. That the Secretary of War should have authority to detail officers of the pay department for duty as inspectors of such department, not exceeding four at any one time.

On the twenty-fourth, Mr. Sprague, from the Committee on Military Affairs, to whom the bill had been recommitted, reported it back without amendment, and on his motion, the Senate proceeded to consider it. Mr. Sprague moved to amend the third section, so that two thirds of the appointments should be from the volunteer paymasters, and the amendment was agreed to. On Mr. Sprague's motion, it was further amended, so that the provisions of the act should continue to the end of the war and one year thereafter. On the first of March, the Senate proceeded further to consider the bill, and after debate it was passed over and not again taken up. It was twice moved by Mr. Sprague as an amendment, but failed.

**No. LXXXVII.—*The Bill to incorporate the National Military and Naval Asylum.***

In the Senate, on the twenty-eighth of February, 1865, Mr. Wilson, from the Committee on Military Affairs, reported a bill to incorporate a national, military, and naval asylum for the relief of the totally disabled officers and men of the volunteer forces of the United States, which was read twice. The bill provided: That General Grant, Admiral Farragut, Vice-President Hamlin, Andrew Johnson, Vice-President elect, Chief-Justice Chase, Mr. Stanton, Secretary of War, and Mr. Welles, Secretary of the Navy, and ninety-three other eminent citizens of the country should be a body corporate for the purposes of the act. That the corporation should consist of one hundred members, and have power to fill all vacancies created by death, resignation, or otherwise, and to make by-laws, rules, and regulations. That the business of the corporation should be managed by a board of twelve directors, a president, two vice-presidents, and a secretary. That the board of directors should have authority to procure a site for a military asylum for officers and men of the volunteer forces of the United States, who had been or might thereafter be totally disabled by wounds received or sickness contracted while in the line of their duty during the rebellion. That for the establishment and support of this asylum, there should be appropriated all stoppages or fines adjudged against volunteer officers, soldiers, or seamen, by sentence of courts-martial or military commission, all forfeitures on account of desertion from the volunteer service, and all moneys due

deceased volunteer officers, soldiers, or seamen, which then were or should be unclaimed for three years after the death of such officers, soldiers, or seamen, and all donations of money or property by any person or persons for the benefit of the asylum. That the selection of the site for the asylum, and the plan of the buildings, and the rules for the general and internal direction of the asylum should be made by the directors; but no selection of a site for the asylum, or adoption of any plan of buildings, should be agreed upon until after the sum of half a million of dollars should have been first subscribed or donated, and paid into the treasury of said corporation. That the officers of the asylum should consist of a governor, a deputy governor, a secretary, and a treasurer; and such officers should be appointed from the pensioned officers of the volunteer force. That all volunteer officers, soldiers, and seamen, who had served during the rebellion, who had been totally disabled by wounds received or sickness contracted in the line of their duty, should be entitled to the benefits of the asylum. That the directors should make an annual report of the condition of the asylum to the War Department, which should be communicated to Congress. That all inmates of the asylum should be made subject to the rules and articles of war, and be governed thereby as if they were in the army or navy.

On the first of March, in the Senate, on motion of Mr. Wilson, the bill was taken up, and on motion of Mr. Hale amended, so that Congress might thereafter alter, amend, or repeal the act; and further amended, on motion of Mr. Hendricks, so as to make it a corporate body in the District of Columbia. It was then passed as amended. In the House, on the second of March, the bill was taken from the Speaker's table and passed. It was approved by the President on the third of March, 1865.

**No. LXXXVIII.—*The Bill to amend the several Acts heretofore passed to provide for the Enrolling and Calling out the National Forces.***

In the Senate, on the twenty-fourth of January, 1865, Mr. Wilson, of Massachusetts, introduced a bill in addition to the several acts for enrolling and calling out the national forces, and for other purposes, which was read twice, and referred to the Committee on Military Affairs. On the thirtieth, Mr. Wilson reported it back with an amendment as a substitute. This substitute declared: That any person enrolled and liable to be drafted, might be accepted as a substitute for a drafted person. That no person owing military service should be exempted from liability on account of furnishing a substitute for the navy, unless the substitute was presented in person to the board of enrolment, and was accepted by the board.

That any recruiting agent, substitute broker, or other person, who should enlist as a volunteer or substitute any insane person, or a person in a condition of intoxication, or a deserter from the military or naval service, knowing him to be

such, or who should defraud or deprive any volunteer or substitute of any portion of the State, local, or United States bounty, should be fined not exceeding one thousand dollars, or imprisoned not exceeding two years, or both, at the discretion of a court-martial or military commission.

That any officer who should muster into the military or naval service of the United States, any deserter from the service, or insane person, or person in a condition of intoxication, knowing him to be such, should be dishonorably dismissed the service.

That all State and local bounties should be paid in instalments, one third at the time of muster into service, one third at the expiration of half the term of service, and one third at the expiration of the term of service.

That the remainder of the term of service of any person who should thereafter enter the military or naval service as a volunteer or drafted man, and should desert therefrom, should be added to the amount of service due from the district to which such volunteer or drafted man should have been credited.

That, in addition to the other lawful penalties of the crime of desertion, all persons who had deserted the military or naval service, who should not return to the service within sixty days, should be deemed to have voluntarily relinquished and forfeited their rights of citizenship and their rights to become citizens; and such deserters should be for ever incapable of holding any office of trust or profit under the United States, or of exercising any of the rights of citizens; and all persons who should hereafter desert the military or naval service should be liable to these penalties.

That the President be authorized and required to issue his proclamation setting forth these provisions.

On the sixth of February, the Senate, on motion of Mr. Wilson, proceeded to consider the bill, the pending question being on the substitute reported by the Committee on Military Affairs. On motion of Mr. Hendricks, of Indiana, the fifth section, relative to State and local bounties, was stricken out. Mr. Willey, of West-Virginia, moved to add a section, discharging any soldier belonging to any regiment or organization mustered out of the service, who enlisted under a promise given by the recruiting officer or by the governor or adjutant-general of the State; that the enlistment should only be for the unexpired term of the regiment or other organization. The amendment was supported by Mr. Willey, Mr. Hendricks, and Mr. Grimes, and opposed by Mr. Wilson, Mr. Brown, and Mr. Conness, and rejected.

Mr. Buckalew, of Pennsylvania, moved to repeal the act allowing the executives of States to send recruiting agents into the States declared in rebellion. The motion was supported by Mr. Saulsbury, Mr. Buckalew, Mr. Grimes, Mr. Sherman, Mr. Davis, Mr. Ten Eyck, and Mr. Powell, and opposed by Mr. Wilson, and Mr. Sumner; and agreed to—yeas, twenty-eight; nays, twelve.

On motion of Mr. Conness, the bill was amended, so that any recruiting agent, substitute broker, or other person liable to punishment for enlisting an insane or drunken person, should do so "for pay or profit." Mr. Cowan, on the seventh, moved to amend the bill by striking out the words, "court-martial or military commission," and inserting, "courts of the United States, having competent jurisdiction," so that recruiting agents and substitute brokers should be tried by the civil rather than the military tribunals. The amendment was agreed to—yeas, twenty-nine; nays, fourteen. Mr. Lane, of Kansas, moved to repeal all laws allowing substitutes for drafted persons; lost—yeas seven; nays, thirty-one. Mr. Hendricks moved to exempt the heads of executive departments, judges, and members of Congress—yeas, nine; nays, twenty-seven. Mr. Davis moved that before another draft there should be a new enrolment; but the motion was lost—yeas, eleven; nays, twenty-three. The bill was then passed without a division.

In the House, on the sixteenth of January, Mr. Schenck, from the Committee on Military Affairs, reported a bill to amend the several acts relating to enrolment and draft, which was read twice, and recommitted to the Committee. On the seventeenth of February, the bill which had been reported on the nineteenth of January, was ordered to be printed with the amendments prepared to be reported. On the twenty-first, the House proceeded to consider the bill. It consisted of fourteen sections, and provided: That it should be the duty of every person liable to be enrolled to report himself in person or by letter to the enrolling board of his district.

That all persons mustered into the military or naval service should be credited to the State, and to the ward, township, precinct, or other enrolment sub-district where such persons belonged by actual residence.

That, in computing quotas, credit should be given to the several districts and sub-districts for all men furnished from them during the rebellion, for any period of service of not less than three months, calculating the number of days for which such service was furnished, and reducing the same to years.

That no person of foreign birth who had resided in the United States for three years preceding his arriving at the age of twenty-one years, and whose father was subject to enrolment, should be exempted from enrolment on account of being an alien.

That in every case of actual desertion by a substitute, if such person so deserting should have been, since the passage of this act, mustered into the service as a substitute for a person liable to draft, the name of such person so liable to draft should be again placed upon the list, and he should be liable to be drafted for the unexpired term of service of such substitute so deserting.

That provost-marshals should be allowed the same commutation for fuel and quarters as was allowed to other officers, ranking as captains of cavalry; but the provost-marshall surgeon and

commissioner, constituting the enrolling board, should not be allowed mileage, but only transportation in kind.

That there should be appointed by the President an assistant provost-marshall general for each State, who should have the rank, pay, and emoluments of a lieutenant-colonel of cavalry.

That it should not be lawful for any person to engage in the business of procuring recruits or substitutes as an agent, substitute broker, or otherwise, for money or profit, without having first obtained from the Secretary of War authority in writing.

That any recruiting agent, substitute broker, or other person, who, for pay or profit, should enlist, or caused to be enlisted, as a volunteer or substitute, any insane person, or convict, or person under indictment for a felony, or person in a condition of intoxication, or a deserter, should, upon conviction by any court-martial, be dis honorably dismissed the service.

That, in addition to the other lawful penalties of the crime of desertion, all persons who had deserted, who should not return to service within sixty days after the passage of this act, should be deemed to have voluntarily relinquished and forfeited their rights of citizenship and their rights to become citizens.

The bill was further considered on the twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, and twenty-seventh, modified and amended in several particulars, and passed—yeas, eighty-three; nays, forty-six. On the twenty-eighth, it was read twice in the Senate, and referred to the Committee on Military Affairs. On the first of March, Mr. Wilson reported it back with amendments.

In the House, on the eighteenth of February, Mr. Schenck, from the Committee on Military Affairs, reported a joint resolution declaring and defining the law in relation to officers' servants.

The joint resolution declared the meaning of all provisions of law relating to soldiers employed by officers as servants to be: That, for every soldier thus employed by any officer, there should be deducted from the monthly pay of such officer the full monthly pay and allowances of the soldier so employed; that no officer should be allowed any greater number of servants than provided by law, nor be allowed for any servant not actually in his employment; that the measure of allowance for pay to officers' servants was the pay of a private soldier, and that no non-commissioned officer should be detailed or employed to act as a servant; nor should any private soldier be so detailed or employed, except with his own consent. The joint resolution was passed without a division.

In the Senate, on the twentieth, the joint resolution was referred to the Military Committee, and on the twenty-third, Mr. Wilson reported it back without amendment.

On the second of March, the Senate proceeded to consider the joint resolution. Mr. Wilson moved to strike out all of the original resolution, and insert:

That the measure of allowance for pay for an officer's servant is the pay of a private soldier, as fixed by law at the time; that no non-commissioned officer shall be detailed or employed to act as a servant, nor shall any private soldier be so detailed or employed except with his own consent; that for each soldier employed as a servant by any officer, there shall be deducted from the monthly pay of such officer the full monthly pay and allowances of the soldier so employed; and that, including any soldier or soldiers so employed, no officer shall be allowed for any greater number of servants than is now provided by law, nor be allowed for any servant not actually and in fact in his employ. That non-commissioned officers and privates in the volunteer service shall receive the same amount of clothing as non-commissioned officers and privates of the same arm of the regular army. That, if a soldier, discharged for wounds received in battle, die before receiving the bounty, provided by the act of March third, 1863, the bounty due shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, nor child nor children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or, if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier, and if there be neither father nor mother, then such bounty shall be paid to the brothers and sisters of the deceased soldier. That every non-commissioned officer, private, or other person, who has been, or shall hereafter be, discharged from the army by reason of wounds received in battle, on skirmish, on picket, or in action, or in the line of duty, shall be entitled to receive the same bounty as if he had served out his full term. That all persons of color, who were enlisted and mustered into the military service of the United States in South-Carolina, by and under the direction of Major-General Hunter and Brigadier-General Saxton, in pursuance of the authority from the Secretary of War, dated August twenty-fifth, 1862, "that the persons so received into service, and their officers, to be entitled to and receive the same pay and rations as are allowed by law to other volunteers in the service," and in every case where it shall be made to appear to the satisfaction of the Secretary of War that any regiment of colored troops has been mustered into the service of the United States, under any assurance by the President or the Secretary of War, that the non-commissioned officers and privates of such regiment should be paid the same as other troops of the same arm of the service, shall, from the date of their enlistment, receive the same pay and allowances as are allowed by law to other volunteers in the military service; and the Secretary of War shall make all necessary regulations to cause payment to be made in accordance therewith.

That the President is authorized to enlist or organize out of troops already in the service, six regiments of volunteer engineers.

That the President is authorized to enlist two additional companies, to be added to the regiment of volunteer engineers, raised under the provisions of an act approved May twentieth, 1864; and the regiment shall be considered one of the regiments authorized in the preceding section of this act.

That, whenever a regiment in the regular army is reduced below the minimum number, no officer shall be appointed in such regiment beyond those necessary for the command of such reduced number.

That "acting assistant surgeons" and "contract surgeons," while in the military service of the United States, shall be exempt from all liability to be drafted. And the amendment was agreed to. On motion of Mr. Trumbull, the resolution was amended by adding as a new section: That officers by brevet in the regular army shall receive the same pay and allowances as brevet officers of the same grade or rank in the volunteer service, and no more. Mr. Sprague moved to amend it by adding an amendment in seven sections, to reorganize the pay department of the army; but it was rejected—yeas, ten; nays, nineteen. On motion of Mr. Lane, of Kansas, the resolution was amended so that, whenever the head of any bureau in the War Department accepted any position of a higher rank than that provided for by law, then he should be deemed as having vacated his position, and should be subject to detail for field and other duty. It was further amended, on the motion of Mr. Buckalew, by adding: "That where any revised enrolment in any congressional or draft district has been obtained or made prior to any actual drawing of names from the enrolment districts, the quota of such district may be adjusted and apportioned to such revised enrolment, instead of being applied to, or based upon the enrolment, as it may have "stood before revision." On motion of Mr. Grimes, the resolution was amended by adding, as a new section: That no person owing military service should be exempted from liability to perform the same on account of furnishing a substitute for the navy, unless the substitute was presented in person to the board of enrolment by which the principal was enrolled. The joint resolution, as amended, was then passed.

In the House, on the third of March, Mr. Schenck, from the Military Committee, reported back the joint resolution, with an amendment to the Senate amendment; and the House proceeded to consider the resolution and the amendments. Mr. Schenck explained the proposed amendments. The Senate amendments provided that brevetted officers of the regular army should be placed on the same footing as brevetted officers of the volunteers that were not allowed increased pay on account of brevet rank. The Military Committee of the House proposed so to amend it as to allow increased pay for brevet rank for regular and volunteer officers. The Military Committee

reported in favor of authorizing the War Department to transfer officers from one branch of the service to another, and the Committee also reported in favor of repealing the seventeenth section of the act of the seventeenth of July, 1862, authorizing the President to dismiss officers without the sentence of court-martials. The Committee reported in favor of amending the Senate amendments by adding several sections of the bill passed by the House amendatory of the enrolment acts. On motion of Mr. Farnsworth, the twelfth section of the Senate amendment, introduced by Mr. Lane, of Kansas, which would have required the removal of General Meigs from the quartermaster's department, was stricken out. Mr. Holman moved an amendment to muster out soldiers with their regiments or batteries who were enlisted in 1862 and 1863, with assurances that they were only to fill the unexpired term of their regiments or batteries; and the amendment was agreed to—yeas, ninety-one; nays, thirty-one. Several amendments to the Senate amendment were agreed to, and the Senate amendment as amended was adopted. The Senate non-concurred in the House amendments, asked a committee of conference, and appointed Mr. Wilson, Mr. Howard, and Mr. Buckalew managers. The House agreed to the conference, and appointed as managers on the part of the House Mr. Garfield, of Ohio, Mr. Odell, of New-York, and Mr. Scofield, of Pennsylvania.

In the House, Mr. Garfield made a report from the conference committee. He stated that "the House passed, a few days ago, a joint resolution defining the pay of officers' servants. That joint resolution went to the Senate, and in its place a bill of thirteen sections was substituted. The House took that bill of thirteen sections, adopted the first eight, cut off the remaining five, and added twenty-three sections of its own. There were thirty points of difference between the two Houses. The House receded from six; the Senate receded from twenty-two; and in place of the two others, substitutes were agreed on by the committee. I will only mention the points on which the House receded, and the two modified sections, as being of interest to us.

"First, in reference to bounties. The House section was modified so that bounties should be paid to the heirs of soldiers who were killed in battle, though they had not served two years; and such bounties should only go to their widow, or, if there be no widow, to their children, but shall not go to the legal heirs generally. The Senate refused to agree with the House amendment repealing section seventeen of the act of July seventeenth, 1862, authorizing the President summarily to dismiss officers from the army, navy, or marine corps. But the managers of the conference on the part of the House proposed a substitute for the repealing section, by which the power of dismissal is limited and regulated. The President may still dismiss an officer; but he is required, on application, setting forth under oath that the dismissal was unjust, to order a trial of the officer by court-martial on the charges on

which he was dismissed. If such trial is not had within six months after the application was made, the dismissal is made void. The section of the House amendment to provide for the transfer of officers from one corps to another, from one arm of the service to another, and from the volunteer service to the regular service, the House recede from.

"The section in regard to declaring foreigners liable to draft the House recede from, it being of doubtful constitutionality.

"The section in regard to increasing the pay of provost-marshals and enrolling officers the House recede from.

"The section in regard to substitute brokers being authorized by the Secretary of War, the House recede from, believing that in other sections of the bill the country is sufficiently protected from the evils of the substitute broker system.

"The last section of the bill, in regard to mustering out enlisted men who went into the service to fill up old regiments, we receded from, not, however, until we were satisfied that the Senate could not be induced to recede from their position, although adhering might involve the failure of the whole bill. The managers on the part of the Senate said that the Secretary of War had informed them that if this provision were adopted, it would take forty-five thousand men immediately from the field, and thus very much impair the efficiency of the army on the eve of a great campaign. In view of all the circumstances, the Committee recommend that the House recede from that amendment." Mr. Le Blond, of Ohio, demanded the yeas and nays on the acceptance of the report, and they were ordered, and being taken, resulted—yeas, seventy-one; nays, fifty-seven; so the report was agreed to.

In the Senate, Mr. Wilson, from the committee of conference, made a report, which, after debate, was agreed to without a division. The title of the joint resolution was changed so as to read, "An act to amend the several acts heretofore passed to provide for the enrolling and calling out of the national forces and for other purposes;" and it was approved by the President on the third of March, 1865.

**No. LXXXIX.—*The Bill making Appropriations for the Support of the Army for the year ending June thirtieth, 1866, and for other purposes.***

In the House, on the seventeenth of January, 1865, Mr. Stevens, from the Committee of Ways and Means, reported a bill making appropriations for the support of the army for the year ending June thirtieth, 1866. On the seventh of February, the bill, on motion of Mr. Stevens, was taken up, and Mr. Wilson, of Iowa, moved to amend it by adding a proviso: That no money appropriated by the act should be paid for the purpose of paying any railway company for the transportation of property or troops of the United States where such company might have accepted a grant of lands from Congress upon condition of furnishing

said transportation free of toll or other charge, except in such cases as had been modified by act of Congress. After debate, the amendment was agreed to, and the bill as amended passed the House.

In the Senate, the bill was referred to the Committee of Finance, and the Committee reported in favor of striking out the proviso forbidding the payment of any of the money appropriated by the bill for the transportation of troops over the land grant railroads. The Senate, on the eighteenth, proceeded to the consideration of the bill, and Mr. Cowan moved to amend the proviso so as to leave the subject to future adjustment between the Government and the railroads. After debate, in which Mr. Sherman, Mr. Johnson, Mr. Howard, Mr. Wilson, Mr. Trumbull, Mr. Cowan, Mr. Henderson, and Mr. Grimes participated, the proviso and amendment were informally passed over. Mr. Wilson moved to amend the bill by adding as a new section, That from and after the first day of March, 1865, and during the continuance of the rebellion, the commutation price of officers' subsistence should be fifty cents per ration; but the increase should not apply to the commutation price of the rations of any officer above the rank of brevet brigadier-general, or of any officer entitled to commutation for fuel or quarters; and the amendment was agreed to. Mr. Wilson then moved to amend by adding as a new section: That thereafter, during the continuance of the rebellion, there should be no deductions made from, or income tax levied upon, the salary of any officer in the military or naval service; and all acts or parts of acts inconsistent therewith were thereby repealed. Mr. Sherman opposed the amendment, stating that it would be pertinent to the income tax bill, and Mr. Wilson, at the suggestion of several senators, withdrew it. Mr. Wilson then moved to add a new section providing that all officers of volunteers below the rank of brigadier-general, who should continue in the military service to the close of the war, should be entitled to receive, upon being mustered out of said service, three months' pay proper. Mr. Howe moved to amend it by inserting "now in commission" after the word "volunteers;" and the motion was agreed to. The amendment as amended was adopted—yeas, twenty-four; nays, not counted. Mr. Wilson moved to add as a new section, That commissioned officers of the army, serving in the field, should thereafter be permitted to purchase rations for their own use, on credit, from any commissary of subsistence, at cost prices, and the amount due for rations so purchased should be reported monthly to the Paymaster-General, to be deducted from the payment next following such purchase; and it was agreed to. Mr. Wilson moved further to amend the bill by adding as a new section, "That the President may appoint, in addition to the number of cadets heretofore authorized by law, from among the orphan children of officers or soldiers who have been or may be killed in battle, or who have died or may die of disease incurred in the line of duty during the present rebellion, two cadets for each

State represented in Congress, who shall be actual residents of the State for which they may be appointed; and fifty cadets, to be appointed from the military forces of the United States, regular and volunteer, who shall have served for a period of not less than nine months." The amendment was opposed by Mr. Sherman and Mr. Howard, and rejected.

Mr. Wilson then moved to add a new section providing: That the Secretary of War be authorized and directed to cause tobacco to be furnished to the enlisted men of the army at cost prices, exclusive of the cost of transportation, in such quantities as they may require, not exceeding sixteen ounces per month, and the amount due therefor should be deducted from their pay in the same manner as provided for the settlement of clothing accounts; and it was agreed to. Mr. Sprague moved to amend the bill by adding six new sections organizing the pay department of the army; but it was rejected. The amendment to strike out the proviso forbidding the payment of any of the money appropriated to land grant railroads was again taken up, the pending question being on Mr. Cowan's amendment to it. After further debate, the vote was taken on Mr. Cowan's amendment, and it was lost—yeas, nine; nays, twenty-seven. The vote was then taken on striking out the proviso, and it was agreed to—yeas, thirty; nays, five. On motion of Mr. Trumbull, the bill was further amended—yeas, fifteen; nays, twelve—by adding as a new section: "That all laws and parts of laws, or regulations of the War Department, which give additional pay or rank to officers of the regular army over officers in the volunteer service of the same rank, are hereby repealed." The bill as amended was passed without a division.

In the House, on the twenty-seventh of February, on motion of Mr. Stevens, the bill was taken up, and the Senate amendments, excepting the amendment authorizing the Secretary of War to furnish tobacco to the soldiers, were non-concurred in.

The Senate, on motion of Mr. Sherman, insisted upon its amendments, asked a committee of conference, and appointed Mr. Cowan, Mr. Wilson, and Mr. Carlisle conferees. The House agreed to the committee of conference, and the Speaker appointed Mr. Wilson, of Iowa, Mr. Stevens, of Pennsylvania, and Mr. James C. Allen, of Illinois, managers. Mr. Wilson was excused from serving on the committee, and Mr. Washburne, of Illinois, was appointed.

On the first of March, Mr. Cowan, from the committee of conference, reported that the committee had recommended that the Senate recede from their fourth amendment. That the House of Representatives recede from their disagreement to the second and third amendments of the Senate. That the Senate recede from their disagreement to the amendment of the House to the sixth amendment of the Senate, and agree to the same. That the House recede from their disagreement to the first amendment of the Senate, and agree to the same with amendments, as follows: In

line three of said amendment to strike out the words "any railroad," and insert in lieu thereof the words, "the Illinois Central Railroad;" and to strike out all of said amendment after the word "States" in line five; and that the Senate agree to the same as so modified. Mr. Trumbull opposed the acceptance of the report, and after debate, the vote was taken, and it was non-concurred in—yeas, thirteen; nays, twenty-nine. On motion of Mr. Trumbull, the Senate further insisted on its amendments, asked a further conference, and appointed Mr. Trumbull, Mr. Farwell, and Mr. Powell conferees. The House agreed to a committee of conference, and the Speaker appointed Mr. Wilson, of Iowa, Mr. Holloman, of Indiana, and Mr. Davis, of New-York, managers.

On the third of March, Mr. Wilson, from the committee of conference, made a report to the House recommending the same action as the former committee of conference, excepting the amendment in regard to land grant railroads, on which the committee would not agree. On motion of Mr. Wilson, the House, by a vote of seventy-nine to sixty-one, agreed to the Senate amendment striking out the proviso relating to railroads, with an amendment providing that no money appropriated by the act should be used for the purpose of paying the Illinois Central Railroad Company for the transportation of the property or troops of the United States. The House voted to agree to the report of the committee of conference on the disagreeing votes of the two Houses. In the Senate, Mr. Trumbull made a report, which was concurred in. Mr. Trumbull then moved that the Senate disagree to the House amendment to the Senate amendment striking out the section relative to the land grant railroads, and ask a further conference. The motion was agreed to, and Mr. Harris, Mr. Howe, and Mr. Willey were appointed managers. The House agreed to a further conference, and the Speaker appointed Mr. Thayer, of Pennsylvania, Mr. Morris, of Ohio, and Mr. Kernan, of New-York, managers.

Mr. Thayer reported to the House that the committee of conference could not agree, and he moved that the House agree to the amendment of the Senate, striking out the proviso relating to land grant railroads, with an amendment referring the matter to the Supreme Court for adjudication. Mr. Morrill, of Vermont, moved that the House recede from its disagreement to the amendment of the Senate, and it was agreed to—yeas, sixty-three; nays, forty-seven. So the bill passed, and was approved by the President on the third of March, 1865.

No. XC.—*The Joint Resolution to encourage Enlistments by making Free the Wives and Children of Colored Soldiers.*

On the thirteenth of December, 1864, Mr. Wilson, of Massachusetts, introduced into the Senate a joint resolution to encourage enlistments, and promote the efficiency of the military and naval forces, by making free the wives and children of persons who had been in, or might be mustered

into, the service of the United States. The resolution was referred to the Committee on Military Affairs and was, on the fourteenth, reported back to the Senate, which, on motion of Mr. Wilson, proceeded to the consideration of the resolution. Mr. Davis, of Kentucky, moved its reference to the Judiciary Committee. Mr. Wilkinson, of Minnesota, hoped it would not be referred; "the resolution ought to be passed immediately." Mr. Wilson hoped the resolution would not be referred to any committee. "The needs of the country," he said, "more than justice or humanity, have weaponed the hand of the slave. Let us hasten the enactment of this beneficent measure, inspired by patriotism and hallowed by justice and humanity; so that, ere merry Christmas shall come, the intelligence shall be flashed over the land, to cheer the hearts of the nation's defenders, and arouse the manhood of the bondman, that on the forehead of the soldier's wife and the soldier's child no man can write slave." Mr. Hendricks, of Indiana, was "not able to see how, under the Constitution of the United States, Congress can free the servant who is held to service by the laws of a State." Mr. Powell, of Kentucky thought the resolution was "palpably unconstitutional."

On the twentieth, the Senate resumed the consideration of the resolution. Mr. Davis declared that "the great and principal effect of this resolution would be in Kentucky, and upon her people."

The Senate, on the fifth of January, 1865, resumed the consideration, the pending question being the motion of Mr. Davis to refer it to the Judiciary Committee. Mr. Wilson demanded the yeas and nays, and they were ordered. Mr. Doolittle "would vote to refer it to the Judiciary Committee." Mr. Saulsbury would "maintain the doctrine that not only have you not the power to decree the freedom of wives and children of negroes who volunteer in your army, if they are from States where slavery is recognized, but you cannot give permanent freedom to the negro volunteer if he be a slave." "All must confess," said Mr. Sumner, of Massachusetts, "the humanity of the proposition to enfranchise the families of colored persons who have borne arms for their country. There is no argument, whether of reason or of humanity, for the enfranchisement of the soldier which does not plead equally for that of his family. Nay, more: I know not how we can expect a blessing on our arms while we fail to perform this duty." The question was then taken on the motion to refer, and it was lost—yeas, fifteen; nays, nineteen.

On the ninth, the Senate proceeded to the consideration of the resolution, and Mr. Saulsbury made an elaborate speech against its passage. Mr. Davis moved to amend the resolution so as to make its operation prospective. Mr. Clark, of New-Hampshire, hoped Mr. Davis's amendment "would not be agreed to, and that we shall not only set free the wives and children of soldiers who may hereafter be enlisted, but the wives and children of those who have already gone into

the service of the country." "This is the first time," said Mr. Davis, "I have ever ventured to utter a voice in the name of humanity in the Senate; but in the name of humanity—humanity to a degraded and helpless race of beings who are unable to support themselves—I protest that they shall not be deprived of the support which their masters and owners are bound by the laws to afford to them, and that they shall not be thrown helpless upon the world, without any means of supporting themselves." "I have noticed," said Mr. Pomeroy, of Kansas, "that men who are arguing in the interest of slavery always resist emancipation until the very last moment; and then, when the moment comes, they say it would be a great relief to the owners of this property to get rid of it; that it cannot take care of itself, and humanity comes in and pleads that some appropriation may be made to support this class of individuals, who are so helpless, and so inefficient, and so worthless. These people have a wonderful facility for taking care of themselves, and adapting themselves to any condition."

Mr. Wade, of Ohio, followed in an earnest and effective speech in favor of the immediate passage of the measure. Mr. Johnson, of Maryland, could not vote for the resolution, because he was fully under the impression that Congress had no authority to pass it. Mr. Wilson said that Mr. Davis, when he declared that we should turn poor wives and children out on the world without support, "forgets that we clothe and feed the husband and father, and pay him sixteen dollars a month, and with that pay he can support his wife and his children. Make them free, and not only will his wages go to their support, but the labor of their own hands will go to their support." The amendment moved by Mr. Davis was then rejected, without a count. Mr. Powell then moved: "That no slave shall be emancipated by virtue of this resolution, until the owner of the slave or slaves so emancipated shall be paid a just compensation." Mr. Powell then addressed the Senate in favor of this amendment, and in opposition to the passage of the resolution in any form. He closed his speech by demanding the yeas and nays on his amendment, and they were ordered, and, being taken, resulted—yeas, seven; nays, thirty. Mr. Saulsbury then moved to amend the resolution by adding that its provisions "shall not apply to or be operative in any State that has not assumed to secede from the Union;" but this amendment was rejected. The question on the passage of the resolution was then taken—yeas, twenty-seven; nays, ten; so the joint resolution to make free the wives and children of colored soldiers received the sanction of the Senate of the United States.

In the House of Representatives, the resolution was referred to the Committee on the Judiciary. On the twenty-second of February, Mr. Wilson, of Iowa, reported it without amendment. "Does the gentleman believe," inquired Mr. Mallory, of Kentucky, "that Congress has the constitutional power to pass such a law?" "I have

always believed," replied Mr. Wilson, "that the Congress of the United States, in time of war, when it was necessary to make our population most effective for the purposes of war, has the power; and has the power to liberate slaves by congressional enactment." Mr. Harris, of Maryland, was fully convinced that this measure was presented and pressed, not to get soldiers; but "it is for the purpose, and that only, of interfering with and abolishing the institution called slavery." Mr. Wilson would tell the gentleman the purpose of this act. "To-day, in the forefront of your army, are thousands of colored men risking every thing for the salvation of this republic. And, sir, this republic cannot afford to disgrace itself in the eyes of the civilized world by sending these men out to fight its battles, and chaining at home their wives and children in that bondage which is worse than death. It would be a disgrace never to be wiped from the face of this nation if we should permit this wrong to continue." Mr. Harris moved that the resolu-

tion be laid on the table—yeas, sixty-six; nays, seventy-seven. The question was taken, and it was decided in the affirmative—yeas, seventy-four; nays, sixty-three. So the joint resolution making free the wives and children of colored soldiers passed, and received, on the third of March, 1865, the approval of the President.

Some months afterward, General Palmer, commanding the department of Kentucky, said in a public report, that seventy thousand women and children had been made free by the passage of this resolution.

No. XCI.—*Military Confirmations in the Senate.*

During the rebellion, the Thirty-seventh and Thirty-eighth Congresses acted upon ten thousand and eight hundred and ninety-one military nominations, ranging from second lieutenants up to Lieutenant-General Grant. These nominations imposed upon the Committee on Military Affairs vast labors, and required much time and attention of the Senate.











